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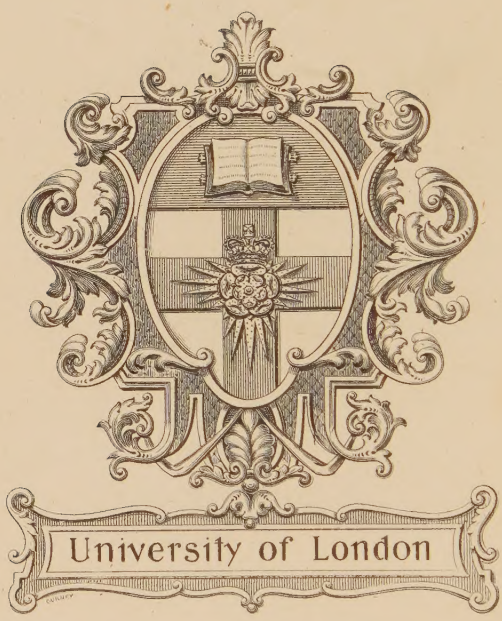

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THE

LAW REPORTS.

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The Public General Statutes,

PASSED IN THE

FIFTY-FOURTH AND FIFTY-FIFTH YEARS

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA,

1891:

WITH

A LIST OF THE LOCAL AND PRIVATE ACTS,

TABLES SHOWING THE EFFECT OF THE SESSION'S LEGISLATION,

AND A COPIOUS INDEX.

VOL. XXVIII.

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OF

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---

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OF

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54 & 55 VICTORIA.—A.D. 1891.

---

i. An Act to confirm an Order in Council of the Lord Lieutenant and Privy Council in Ireland relating to the Athenry and Tuam (Extension to Claremorris) Railway. (*Tramways Order in Council (Ireland) (Athenry and Tuam Extension to Claremorris Railway) Confirmation.*)

ii. An Act to confirm a Provisional Order of the Local Government Board under the provisions of the Poor Law Amendment Act, 1867, relating to the Parish of Birmingham. (*Local Government Board's Provisional Order Confirmation (Poor Law).*)

xxiii. An Act to confirm a Provisional Order under the Land Drainage Act, 1861, relating to Bluntisham Improvements, situate in the Parish of Bluntisham-cum-Earith, in the county of Huntingdon. (*Land Drainage Supplemental.*)

xxiv. An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State under the Metropolitan Police Act, 1886, relating to lands in the Parishes of St. Pancras, St. John at Hackney, St. James's, Westminster, and St. Mary Cray. (*Metropolitan Police Provisional Order Confirmation.*)

xxv. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Harrow, Ramsgate, Stafford, and Teignmouth. (*Local Government Board's Provisional Orders Confirmation (No. 3).*)

xxvi. An Act to confirm a Scheme under the Metropolitan Commons Act, 1866, and the Metropolitan Commons Amendment Act, 1869, relating to Mitcham Common, Upper Green, Lower Green, Figgs Marsh, and Beddington Corner. (*Metropolitan Commons (Mitcham) Supplemental.*)

xxvii. An Act to confirm an Order made by the Secretary for Scotland under the Sea Fisheries Act, 1868, relating to the Oyster and Mussel Fishery (Loch Sween). (*Oyster and Mussel Fishery* (*Loch Sween*) *Order Confirmation.*)

xliii. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Galashiels and Melrose, in the counties of Roxburgh and Selkirk. (*Galashiels and Melrose Order Confirmation.*)

xliv. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Ashkirk and Selkirk, in the counties of Roxburgh and Selkirk. (*Ashkirk and Selkirk Order Confirmation.*)

xlv. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Stirling and St. Ninians, in the counties of Clackmannan and Stirling. (*Stirling and St. Ninians Order Confirmation.*)

xlvi. An Act to confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the purchase of Land for a new Burial Ground within the district of Newbridge. (*Local Government Board* (*Ireland*) *Provisional Order Confirmation* (*Newbridge*).)

xlvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Merchant Shipping (Pilotage) Act, 1889, relating to Humber and Swansea. (*Pilotage Orders Confirmation* (*No.* 2).)

xlviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Boscombe, Fraserburgh, Herne Bay, Mullion, Pennan, Scarborough, Uig, and Yarmouth (Great). (*Pier and Harbour Orders Confirmation* (*No.* 1).)

xlix. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Bolton, Canterbury, Dewsbury, Hanley, Harrogate, and Sunderland. (*Electric Lighting Orders Confirmation* (No. 1).)

l. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Ealing, Norwich, Southport, Stockport, Surbiton, and Tynemouth. (*Electric Lighting Orders Confirmation* (*No.* 2).)

li. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Bishop's Stortford, Croydon, Heckmondwike, Londonderry, Southend, and Weston-super-Mare. (*Electric Lighting Orders Confirmation* (*No.* 3).)

lii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Acton, Chiswick, Coventry, Kidderminster, Llanelly, and South Shields. (*Electric Lighting Orders Confirmation* (*No.* 4).)

liii. An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State for modifying the Metropolis (Shelton Street, St. Giles) Improvement Scheme, 1886. (*Metropolis* (*Shelton Street, St. Giles*) *Provisional Order Confirmation.*)

liv. An Act to confirm a Provisional Order for the Inclosure of Mungrisdale Low Common, situate in the parish of Greystoke, in the county of Cumberland, in pursuance of a report from the Board of Agriculture. (*Inclosure* (*Mungrisdale*) *Provisional Order Confirmation.*)

lv. An Act to confirm certain Provisional Orders made by the Education Department under the Elementary Education Act, 1870, to enable the School Boards for West Ham, Tottenham, Portsmouth, Chiswick, and Hackford and Whitwell United District to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same. (*Education Department Provisional Orders Confirmation* (*West Ham, &c.*).)

lvi. An Act to confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the purchase of Gasworks in the Township of Kilrush. (*Local Government Board* (*Ireland*) *Provisional Order Confirmation* (*Kilrush Gas*).)

lvii. An Act to confirm two Provisional Orders of the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the improvement of Streets in the Boroughs of Belfast and Londonderry. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation* (*No.* 3).)

lviii. An Act to confirm two Provisional Orders made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the purchase of Land for Waterworks in the Township of Clonmel and within the District of Mitchelstown. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation* (*No.* 4).)

lix. An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State in pursuance of section twenty-two of the Police Act, 1890, relating to the Superannuation of the Members of the Fire Brigade of the City of Manchester. (*Fire Brigade Superannuation* (*Manchester*) *Provisional Order Confirmation.*)

lx. An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area situated in the Parishes of St. Matthew, Bethnal Green, and St. Leonard, Shoreditch, in the County of London. (*London* (*Boundary Street, Bethnal Green*) *Provisional Order Confirmation.*)

lxi. An Act to confirm a Provisional Order under the Thames Valley Drainage Act, 1871, to enable the Thames Valley Drainage Commissioners to put in force the compulsory clauses of the Lands Clauses Acts relating to certain lands in the

parish of Northmoor, in the county of Oxford, and in the parish of Appleton with the township of Eaton, in the county of Berks. (*Thames Valley Drainage Provisional Order Confirmation.*)

lxii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Bromley, Preston, Scarborough, Torquay, Tunbridge Wells, and Withington District. (*Electric Lighting Orders Confirmation* (*No.* 5).)

lxiii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 to 1890, relating to Edinburgh and Paisley. (*Electric Lighting Orders Confirmation* (*No.* 6).)

lxiv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Hertford, Killarney, Kingston-upon-Thames, Liverpool, Toxteth Park, and Whitehaven. (*Electric Lighting Orders Confirmation* (*No.* 7).)

lxv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Camberwell, Islington, Southwark, Wandsworth District, and Westminster. (*Electric Lighting Orders Confirmation* (*No.* 9).)

lxvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Baildon, Derby, Idle, and Middleton, and to the Rural Sanitary District of the Watford Union. (*Local Government Board's Provisional Orders Confirmation* (*No.* 2).)

lxvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Coventry, Dudley, Filey, Knaresborough and Tentergate, Oxford, and Rawtenstall, and to the Rural Sanitary District of the Chester-le-Street Union. (*Local Government Board's Provisional Orders Confirmation* (*No.* 4).)

lxviii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bath, Clifton Dartmouth Hardness, Devonport, Plymouth, and Stapleton, and to the Rural Sanitary District of the Hendon Union. (*Local Government Board's Provisional Orders Confirmation* (*No.* 5).)

lxix. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Chorley, Daventry, Newcastle - under - Lyme, Rochester, and Saint Helens. (*Local Government Board's Provisional Orders Confirmation* (*No.* 6).)

lxx. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Brighton, Cheltenham, Linthwaite, Southport, and Waltham - Holy - Cross. (*Local Government Board's Provisional Orders Confirmation* (No. 8).)

lxxi. An Act to confirm certain Provisional Orders of the Local Government Board for constituting joint committees to enforce the provisions of the Rivers Pollution Prevention Act, 1876, in relation to parts of the Rivers Irwell, Mersey, and Ribble. (*Local Government Board's Provisional Orders Confirmation* (No. 10).)

civ. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Birmingham, Cardiff, Exeter, Ipswich (Ipswich Electricity Supply Company), Ipswich (Laurence, Scott, and Co.), and Whitby. (*Electric Lighting Orders Confirmation* (*No.* 8).)

cv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Newport (Mon.), Poole, and Weybridge. (*Electric Lighting Orders Confirmation* (*No.* 11).)

cvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Leeds and Newcastle-upon-Tyne. (*Electric Lighting Orders Confirmation* (*No.* 12).)

cvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Hastings, Oldham, Rowley Regis, Southampton (two), Standish-with-Langtree, and West Ham, and to the Rural Sanitary District of the Stourbridge Union. (*Local Government Board's Provisional Orders Confirmation* (*No.* 11).)

cviii. An Act to confirm certain Provisional Orders of the Local Government Board under the Gas and Water Works Facilities Act, 1870, and the Public Health Act, 1875, relating to the Urban Sanitary Districts of Richmond (Yorks) and Selby. (*Local Government Board's Provisional Orders Confirmation* (*Gas*).)

cix. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parish of Dunlop, in the counties of Ayr and Renfrew. (*Dunlop Order Confirmation.*)

cx. An Act to confirm a Provisional Order made by the County Council of Norfolk under the Allotments Acts, 1887 and 1890, relating to the Parish of Saint Faith's, in the Rural Sanitary District of the Saint Faith's Union. (*Allotments Provisional Order Confirmation.*)

cxi. An Act to facilitate the rebuilding of the Court Houses for the county of Cork and city of Cork, and for other purposes. (*Cork* (*County and City*) *Court Houses.*)

cxliv. An Act to accelerate the proceedings for the Registration of Burgesses in the Boroughs of Dublin and Belfast, and to alter certain dates and periods connected therewith. (*Municipal Registration* (*Dublin and Belfast*).)

cxlv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Cirencester Gas, Godstone District Gas, Matlock and District Gas, and Staines and Egham Gas. (*Gas Orders Confirmation.*)

cxlvi. An Act to confirm a Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to Forfar Water. (*Forfar Water Order Confirmation.*)

cxlvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Corsham Water, North Sussex Water, Rochford Rayleigh and Leigh Water, and Swaffham Water. (*Water Orders Confirmation.*)

cxlviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bradford and Wyke Tramway, Church and Oswaldtwistle Tramways, and Matlock Tramway. (*Tramways Orders Confirmation* (*No.* 1).)

cxlix. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Bangor, Blackpool (South), Blackpool (South Shore), Sligo, and Stonehaven. (*Pier and Harbour Orders Confirmation* (*No.* 2).)

cl. An Act to confirm a Provisional Order made by the Local Government Board for Ireland relating to the Town of Dundalk. (*Local Government Board* (*Ireland*) *Provisional Order Confirmation* (*No.* 5).)

cli. An Act to confirm a Provisional Order made by the Education Department under the Elementary Education Act, 1870, to enable the School Board for London to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same. (*Education Department Provisional Order Confirmation* (*London*).)

clii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Southborough Gas, Woking District Gas, Cirencester Water, Matlock Water, and Seaton and Beer Water. (*Gas and Water Orders Confirmation.*)

cliii. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Alloa, Alva, and Logie, in the counties of Clackmannan, Perth, and Stirling. (*Alloa, Alva, and Logie Order Confirmation.*)

cliv. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Cawdor, Croy and Dalcross, Daviot and Dunlichity, Inverness, and Nairn, in the counties of Inverness and Nairn. (*Cawdor, &c. Order Confirmation.*)

clv. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Kinnell, Lunan and Maryton, in the county of Forfar. (*Kinnell, Lunan, and Maryton Order Confirmation.*)

clvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Ashton-under-Lyne (two), Blackpool, and York (two). (*Local Government Board's Provisional Orders Confirmation (No.* 7).)

clvii. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parish of New or East Kilpatrick in the counties of Dumbarton and Stirling. (*New or East Kilpatrick Order Confirmation.*)

clviii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Barrow-in-Furness, Grimsby, Newton-in-Mackerfield, Reading, and Swindon New Town, to the Rural Sanitary District of the Burnley Union, and to the Wirral Joint Hospital District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 12).)

clix. An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Poole. (*Pier and Harbour Order Confirmation* (*No.* 3).)

clx. An Act to confirm a Provisional Order made by the Board of Trade under the Merchant Shipping Act Amendment Act, 1862, relating to the Pilotage district of Bristol. (*Pilotage Order Confirmation* (*No.* 1).)

clxi. An Act to confirm a Provisional Order of the Local Government Board relating to the City of Birmingham. (*Local Government Board's Provisional Order Confirmation* (*No.* 13).)

clxii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bristol Tramways (Extension), and Liverpool Corporation Tramways (Extensions). (*Tramways Orders Confirmation No.* 2).)

clxiii. An Act to confirm a Provisional Order of the Local Government Board under the Highways and Locomotives (Amendment) Act, 1878, relating to the County of Berks. (*Local Government Board's Provisional Order Confirmation* (*Highways*).)

ccx. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Basingstoke and Newport. (*Local Government Board's Provisional Orders Confirmation* (*No.* 9).)

ccxi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Blackpool, Leicester, (two), Salford, Stafford, West Ham, and Worthing, and to the Conway and Colwyn Bay Joint Water Supply District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 14).)

ccxii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882

and 1888, relating to the City of London, Clerkenwell, St. Luke, Chelsea, St. Luke, Middlesex, and Woolwich. (*Electric Lighting Orders Confirmation* (*No.* 10).)

ccxiii. An Act to confirm certain Provisional Orders of the Local Government Board under the Housing of the Working Classes Act, 1890, relating to the Urban Sanitary Districts of Brighton and Salford. (*Local Government Board's Provisional Orders Confirmation* (*Housing of Working Classes*).)

ccxiv. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Great Eastern Railway Company, and certain other Railway Companies connected therewith. (*Great Eastern Railway Company* (*Rates and Charges*) *Order Confirmation.*)

ccxv. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Great Northern Railway Company, and certain other Railway Companies connected therewith. (*Great Northern Railway Company* (*Rates and Charges*) *Order Confirmation.*)

ccxvi. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the London and South Western Railway Company, and certain other Railway Companies connected therewith. (*London and South Western Railway Company* (*Rates and Charges*) *Order Confirmation.*)

ccxvii. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the London, Brighton, and South Coast Railway Company, and certain other Railway Companies connected therewith. (*London, Brighton, and South Coast Railway Company* (*Rates and Charges*) *Order Confirmation.*)

ccxviii. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the London, Chatham, and Dover Railway Company, and certain other Railway Companies connected therewith. (*London, Chatham, and Dover Railway Company* (*Rates and Charges*) *Order Confirmation.*)

ccxix. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and

the Schedule of Maximum Rates and Charges applicable thereto, of the Midland Railway Company, and certain other Railway Companies connected therewith. (*Midland Railway Company (Rates and Charges) Order Confirmation.*)

ccxx. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the South-Eastern Railway Company, and certain other Railway Companies connected therewith. (*South-Eastern Railway Company (Rates and Charges) Order Confirmation.*)

ccxxi. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the London and North Western Railway Company, and certain other Railway Companies connected therewith. (*London and North Western Railway Company (Rates and Charges) Order Confirmation.*)

ccxxii. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Great Western Railway Company, and certain other Railway Companies connected therewith. (*Great Western Railway Company (Rates and Charges) Order Confirmation.*)

ccxxiii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Burslem, Middleton, and Morley. (*Local Government Board's Provisional Orders Confirmation (No. 15).*)

THE

PUBLIC GENERAL STATUTES.

54 VICTORIA.

CHAPTER 1.

An Act to provide for the Supply of Seed Potatoes to Occupiers and Cultivators of Land in Ireland.

[9th December 1890.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Seed Potatoes Supply (Ireland) Act, 1890.

Powers of Guardians to borrow.

2. The Guardians of any poor law union may apply to the Local Government Board for a loan under this Act for the use of any electoral division of their union, and if they satisfy the Local Government Board that the occupiers of land in that division are generally unable, through poverty and the extent of the failure of the potato crop, to procure an adequate supply of seed potatoes, the Local Government Board may approve of the application, and in that case shall transmit it to the Board of Works, who may, with the consent of the Treasury, make, out of any moneys at their disposal for the purpose of local loans, a loan to such Board of Guardians, on the security of the poor rate, leviable in the said electoral division, and without requiring any further or other security.

Terms of loan.

3.—(1.) Such loan shall be repayable by the Guardians to the Board of Works by two equal instalments, the first of which shall be paid on the first day of August one thousand eight hundred and ninety-two, and the second on the first day of August, one thousand eight hundred and ninety-three.

(2.) The interest on such loan or on so much as is for the time being not repaid shall be at the lowest rate fixed by the Treasury for interest on local loans in Ireland, and shall be paid by equal half-yearly payments to the Board of Works out of the Irish Church Temporalities Fund.

When any such loan is made for the benefit of any electoral division, all poor rates leviable in the division shall become forthwith charged, without any deed of mortgage or other instrument, with the repayment by the said instalments of the loan.

Orders for payment of loans may be

4. If at any time the Board of Works certify that any sum is payable to them by the Guardians of any union on account of any

made by Local Government Board.

loan under this Act for the benefit of an electoral division, the Local Government Board shall, by order under their seal, assess that sum on the electoral division, and shall send copies of the order to the Guardians and to the treasurer of the union; and thereupon the treasurer of the union shall, out of any money then in his hands to the credit of the Guardians, or if such money is insufficient, then, out of all moneys subsequently received by him on account of the Guardians, pay the amount mentioned in the order to the Board of Works. The Guardians shall debit the electoral division with the amount so assessed.

Application of loans.

5.—(1.) Where the Guardians obtain a loan under this Act for the benefit of any electoral division, they may apply the whole or any part thereof in purchasing seed potatoes, and in defraying all expenses incurred for carriage, storage, or otherwise in providing the same for sale, and shall when required by the Local Government Board, repay to the Board of Works any portion of the loan which is not so applied.

(2.) The Guardians shall sell such seed subject to the following provisions:—

(*a.*) Seed shall not be sold to any occupier of land the rateable value of which exceeds fifteen pounds, nor for less than the net price paid by the Guardians for it, including all expenses incurred for carriage, storage, or otherwise in providing such seed for sale:

(*b.*) The Guardians may sell to any such occupier of land a quantity of seed potatoes not exceeding twelve hundredweight:

(*c.*) They may sell to any person who cultivates for his own use any land under a contract made by him with the tenant of the land for the purpose of growing potatoes, seed potatoes not exceeding six hundredweight; but no such sale shall be made except upon the application of the tenant of the land, or occupying owner, and upon his agreeing to pay to the Guardians the price of the seed so sold in the same manner as if the seed had been sold to him:

(*d.*) Seed shall not be sold to any person unless the Guardians, or such persons as the Local Government Board may nominate in that behalf, are satisfied that the land into which it is to be put has been properly prepared, and is ready for sowing:

(*e.*) An abatement of one fifth shall be made in the price of all seed which is paid for in cash; and any loss thereby occasioned shall be charged on and paid out of the Irish Church Temporalities Fund:

(*f.*) All sums received for seed paid for in cash shall be paid by the Guardians to the Board of Works at the prescribed times, and shall be applied in repayment of the loan with which the seed was bought.

Recovery of price from purchasers.

6.—(1.) The amount due to the Guardians on account of any seed sold shall be paid by two equal instalments.

(2.) For obtaining payment of each such instalment due from any person the Guardians shall levy the amount, where the person is

rated to the poor rate, either as part of the poor rate payable by such person, or by a special rate to be added to the poor rate assessed on the tenements occupied by such person, and to be collected therewith.

(3.) Where such person is not rated to the poor rate the Guardians shall make a special rate for the purposes of this Act in which he shall be rated.

(4.) Every such special rate shall be recoverable in the same manner and with the same remedies by the collectors of the poor rate as if it were poor rate, and shall be lodged to the credit of the Guardians with the treasurer of the union.

(5.) Provided that no person shall be entitled to make any deduction from his rent on account of any such special rate.

(6.) The first of such special rates shall be made by the Guardians at the same time as the first ordinary poor rate made after the first day of August one thousand eight hundred and ninety-one, and the second of such special rates shall be made by the Guardians at the same time as the first ordinary poor rate made after the first day of August one thousand eight hundred and ninety-two.

The first instalment payable by each purchaser of seed shall be due on the day on which the first of such special rates is made, and the second instalment shall be due on the day on which the second of such special rates is made. Any such instalment may be paid to the Board of Guardians at any earlier date.

Power to postpone instalment.

7. The Lord Lieutenant, with the consent of the Treasury, may, on the application of any Guardians made through the Local Government Board, postpone the payment of any instalment due from or to the Guardians under this Act to any day not later than the first day of August one thousand eight hundred and ninety-five; and the time of making the special rates for the purpose of obtaining payment of any instalment so postponed shall be postponed for a corresponding period; and the postponed instalment shall become due on the day on which such postponed special rate is made.

Power of entry and inspection.

8.—(1.) The Lord Lieutenant, on the application of the Local Government Board, may, with the consent of the Treasury, appoint such officers of the Land Commission or other persons as inspectors to assist the Guardians in the purchase of seed potatoes under this Act, and in all arrangements for the inspection, storage, and distribution of the same.

(2.) All purchases by the Guardians of seed potatoes under this Act, and all arrangements for the inspection, storage, and distribution thereof, shall be made subject to the regulations from time to time issued by such inspectors, and also subject to the approval of at least one of such inspectors.

(3.) Any member of the Board of Guardians of the union, or any person nominated by the Guardians, or any such inspector, may at all reasonable times enter into and examine any land occupied or tilled by a purchaser of seed under this Act from such Guardians, for the purpose of ascertaining whether the seed has been properly sown, and may do all acts reasonably necessary for that purpose.

(4.) For the purpose of facilitating such examination the Guardians shall keep a list of the names and addresses of all purchasers of seed, and shall permit such list to be inspected by any person having authority to enter and examine under this Act.

(5.) If any person refuses to a Guardian or other person acting in execution of the powers conferred by this section admission to any land which such Guardian or person is entitled to enter or examine, or obstructs or impedes him in so entering or examining, the person so offending shall be liable, on summary conviction, to a fine not exceeding five pounds.

Summary recovery of price of seed.

9. If any purchaser of seed from Guardians under this Act does not properly sow such seed, the Guardians may forthwith recover the price of such seed, whether the amount is more or less than two pounds, before the justices in petty sessions, in the manner prescribed by the Act of the session of the twenty-second year of the reign of Her present Majesty, chapter fourteen, and any Acts amending it; and the provisions of such Acts shall apply as if the amount was under two pounds.

22 Vict. c. 14.

Powers of Local Government Board where Guardians make default.

10. It shall be the duty of the Guardians of every union, in which there is an electoral division in which the occupiers of land are generally unable for the reasons aforesaid to procure an adequate supply of seed potatoes, to make an application under this Act to the Local Government Board within the prescribed time, and if it appears to the Local Government Board that the Guardians of any union have failed to make such application within the said time, or if at any time it appears to the Local Government Board that any Guardians have made default in any respect in the execution of this Act, the Local Government Board may, if they think fit, carry this Act into execution with reference to such union or any electoral division thereof, and shall have for that purpose all the powers vested by this Act in the Guardians of the union. In such case application for any loan may be made by the Local Government Board directly to the Board of Works, and in other respects the Local Government Board shall be in the place of the Guardians so making default.

Rules and regulations.

11. The Local Government Board, with the consent of the Lord Lieutenant and the Treasury, may make general rules and regulations as regards,—

(*a.*) the times and manner of summoning and holding meetings of Guardians for the purposes of this Act:

(*b.*) the time within which applications are to be made under this Act:

(*c.*) the information to be given by Guardians to the Local Government Board in respect of the persons in the several electoral divisions in the unions who are in need of, but are unable to procure, seed potatoes, and who the Guardians believe would be willing to purchase the same under this Act:

(*d.*) the forms of all estimates, circulars, notices, and receipts to be used by the Guardians under this Act:

(*e.*) the times at which sums received by Guardians as the price of seed paid for in cash are to be paid to the Board of Works:

(*f.*) any other matter or thing, whether similar or not to those before mentioned in respect of which it may seem to the Local Government Board (with such consent as aforesaid) expedient to make rules and regulations for the purpose of carrying this Act into effect.

Savings.

12.—(1.) Nothing in this Act shall prejudice or affect any proceedings which might have been instituted by the Board of Works or by any Guardians for the enforcement of any contract or the recovery of any debt.

(2.) No electoral disability or loss of Parliamentary or other franchise shall be incurred by any voter by reason of the purchase of seed under this Act.

Definitions.

13. In this Act—

the expression "poor rate" means any rate leviable under the Acts made for the relief of the poor in Ireland:

the expression "rateable value" means the annual rateable value under the Irish Valuation Acts, and where any land occupied is not separately valued under those Acts, means such value as the Guardians of the union determine would be the rateable value if such premises were so separately valued:

the expression "Local Government Board" means the Local Government Board for Ireland:

the expression "Board of Works" means the Commissioners of Public Works in Ireland.

the expression "Guardians" means a Board of Guardians:

the expression "Irish Church Temporalities Fund" means the fund under the control of the Land Commission by virtue of the Irish Church Amendment Act, 1881. 44 & 45 Vict. c. 71.

the expression "prescribed" means prescribed by rules made in pursuance of this Act.

CHAPTER 2.

An Act to authorise the Transfer of the Powers of Promoters of Railway and Tramway Undertakings, under the Tramways (Ireland) Acts, to certain existing Railway Companies, and for other purposes.

[9th December 1890.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Agreement for transfer of undertaking.

1. The promoters of any undertaking who have obtained from any grand jury a presentment under the Tramways (Ireland) Acts, approving of the undertaking, may enter into an agreement with any railway company with any of whose railways the promoters

undertaking is, or is intended to be, connected, for the transfer to and vesting in the railway company of the promoters undertaking, and this provision shall apply to agreements entered into both before and after the passing of this Act.

Sanction of shareholders to agreement.

2. The agreement for transfer shall not have any operation unless and until it has been sanctioned (either before or after the passing of this Act) by three-fifths of the votes of the shareholders and stockholders of the railway company in whom the undertaking is to be vested entitled to vote at meetings of such company and present (personally or by proxy) at a general meeting thereof specially convened for the purpose in accordance with the provisions of Part III. of the Railways Clauses Act, 1863, or of any special Act affecting the said company.

26 & 27 Vict. c. 92.

Approval of Railway and Canal Commission.

3. The agreement for transfer shall not have any operation until it is approved by the Railway and Canal Commission, and the said Commission shall not approve of the agreement without being satisfied that it has been sanctioned as aforesaid.

Dissolution of promoters and vesting of undertaking in railway company.

4. Upon the agreement for transfer being approved by the Railway and Canal Commission, the undertaking of the promoters shall become and be transferred to and vested in the railway company, and the promoters, if a public company, shall be dissolved, and all the powers of the promoters with respect to the transferred undertaking may be exercised by the railway company in their own name and under their own seal, or under the hands of their directors, secretary, officers, and servants, and the Railways (Ireland) Act, 1890, shall apply as if the undertaking were a light railway for the construction, maintenance, and working of which the Treasury have made an agreement with a railway company.

53 & 54 Vict. c. 52.

26 & 27 Vict. c. 92.

Part V. of the Railways Clauses Act, 1863, relating to amalgamation, shall be incorporated with this Act, and in the construction of that part for the purposes of such incorporation :—

(*a.*) this Act and the agreement for transfer shall together be deemed to be the amalgamating Act; and

(*b.*) the said transfer, vesting, and dissolution shall be deemed to be an amalgamation; and

(*c.*) the railway company shall be deemed to be the amalgamated company, and the promoters the dissolved company; and

(*d.*) the date at which the agreement for transfer is approved by the Railway and Canal Commission shall be deemed to be the time of amalgamation; and

(*e.*) any grand jury presentment relating to the undertaking, and any Order in Council or Act of Parliament confirming such presentment which shall be in force at the date of the approval of the agreement for transfer by the Railway and Canal Commission, shall be deemed to be special Acts relating to or affecting the dissolved company or their undertaking in force at the passing of the amalgamating Act.

Provided always, that except as may be otherwise provided by the agreement for transfer, no debt due by the promoters shall become or be payable by, nor shall any clerk, officer, or servant of the promoters become or be a clerk, officer, or servant of the railway company.

Directors of promoting company to wind up affairs.

5. The directors of any company which may be dissolved under the provisions of this Act who may be in office immediately before the dissolution, and the survivors or survivor of them, may, notwithstanding the dissolution of the company, continue to act and may take any proceedings necessary or proper for winding up the affairs of that company and distributing the assets thereof (if any).

Baronial guarantees to remain in force.

6. Notwithstanding the transfer to and vesting in the railway company of the promoters undertaking, any sums payable by any baronies or parts of baronies which under the provisions of the Tramways (Ireland) Acts have or may become chargeable with the payment of dividends on the capital of the promoters or any part thereof, or with the payment of any sums for the completion of the undertaking, shall be payable to the railway company, and the provisions of the Tramways and Public Companies (Ireland) Act, 1883 (in this Act called the Act of 1883), as to ascertaining the half-yearly sum to be paid by the said baronies and parts of baronies shall remain in full force and effect and the railway company shall keep all such accounts of expenditure and receipts as the promoting company were required to keep.

46 & 47 Vict. c. 43.

Keeping of accounts.

7. In every case in which a baronial guarantee has been given under the Tramways (Ireland) Acts, in respect of dividends on the capital of the promoters during the continuance of such guarantee the railway company shall keep full, true, and distinct books of account showing the capital of the transferred undertaking and its receipts from every source and its expenditure, and they shall keep and preserve all receipts and other documents necessary for vouching the same, and shall at all reasonable times produce the said books, receipts and documents for the inspection of the auditor to be appointed as herein-after mentioned, and also of such person as the Treasury may from time to time appoint for the like purpose, and also of the arbitrators appointed pursuant to section six of the Act of 1883.

Audit of accounts.

8.—(1.) The grand jury of any county in which any barony or part of a barony chargeable under the Tramways (Ireland) Acts with the payment of any sum in respect of dividends on the capital of the promoters is situate, shall from time to time during the continuance of the guarantee appoint a fit and proper person to audit the accounts of the railway company in respect of the transferred undertaking.

(2.) It shall be the duty of the said auditor, twice in each year, at a reasonable time before each spring and summer assizes for such county, to audit the accounts of the railway company with respect to the transferred undertaking, and he shall furnish a statement of the result of the audit to the Commissioners of Public Works in Ireland, and to the secretary of the said grand jury, and to the arbitrators appointed for the said company under the sixth section of the Act of 1883.

(3.) In case an auditor dies or declines to act, or becomes incapable of acting, the Board of Trade may appoint another fit and proper person to be auditor in his place, who shall proceed to audit

the said accounts, and to furnish the statements herein-before specified within a reasonable time after his appointment.

(4.) The expenses of the audit shall be paid by the railway company, and, in case of difference as to their amount, they shall pay such sum in respect of the said expenses as may be fixed by the Board of Trade.

Baronial representation.

9. Except as in this Act provided, no grand jury or barony shall be represented in the affairs or finance of the railway company in relation to the transferred undertaking.

Completion and maintenance of undertaking.

10. The railway company shall, if the undertaking shall not be complete at the time of its transfer, complete the same within the time limited, and in accordance with the conditions contained in the Order in Council authorising its construction.

And shall (notwithstanding that the receipts from the undertaking may or shall be insufficient to defray the expenses of managing and of efficiently working and maintaining the undertaking, and before any grand jury shall be called upon to incur any liability under section ten of the Act of 1883, or Order in Council providing for the maintenance and working of the undertaking), at all times efficiently work the undertaking as part of their own railway system.

46 & 47 Vict. c. 43.

And if the earnings of the undertaking shall be insufficient to defray the expenses of working and maintaining it, then the railway company shall at all times work the undertaking out of the general revenue and profits of their other undertakings, and shall at all times at the like expense keep the undertaking in good order, condition and repair.

Power to issue baronial guaranteed shares.

11. The railway company in addition to any share capital they are authorised to raise under the provisions of this Act, may for the purposes of the undertaking, create and issue new shares to the extent to which the capital of the promoters (if any) upon which payment of dividends may have been guaranteed pursuant to the provisions of the Act of 1883, shall not have been issued, and such shares are in this Act referred to as the baronial guaranteed shares and shall be designated in the books of the railway company and the certificates issued therefor by the same or some other similar appropriate description.

The railway company in lieu of issuing all or any of the baronial guaranteed shares which they are by this Act authorised to create and issue, may raise by the creation and issue of debenture stock of the railway company the like amount of capital which they are by this Act authorised to raise by the creation and issue of the baronial guaranteed shares which shall not be created and issued, and to the extent to which the power shall be exercised, the railway company shall be deemed to be the owners of the baronial guaranteed shares which by reason of the exercise of such powers shall not be issued and shall be entitled to receive and retain the dividends thereon. And the creation and issue of such debenture stock shall be subject to the provisions of Part III. of the Companies Clauses Act, 1863, but notwithstanding anything therein contained, the interest of all debenture stock at any time after the

26 & 27 Vict. c. 118.

agreement for transfer shall have been approved by the Railway and Canal Commission, shall rank pari passu with the interest of all mortgages at any time thereafter granted by the railway company, and shall have priority over all principal moneys secured by such mortgages.

Power to railway company to guarantee payment or punctual payment on baronial guaranteed shares.

12. The railway company shall have power to enter into any agreement with or to give any guarantee to the holders of baronial guaranteed shares, that the dividends at the guaranteed rate on such shares shall be paid on any date or dates to be fixed by the railway company, or otherwise to guarantee or undertake the payment or punctual payment of the dividends on such shares. And the railway company shall have power by any such agreement or guarantee or for the purposes thereof, to charge or bind all or any of the undertakings and property of the railway company other than the transferred undertaking, and shall have power, from time to time, to apply any of the income or profits, or accumulated income or profits of all or any of the undertakings or property of the railway company, in advancing or paying to the holders of the baronial guaranteed shares the amount of the dividends thereon at the rate aforesaid, as the same shall from time to time become due, or upon such date or dates as shall be fixed by the railway company, but any such charge or obligation upon the undertakings and property of the railway company, created by any such agreement or guarantee, and any such application of the income or profits thereof in payments of such dividends shall be subject to the rights of the holders of any existing debentures, debenture stock, guaranteed or preference stock or shares of the railway company, and in the event of the railway company advancing or paying any sum in respect of such dividends, out of any source other than the net profits of the transferred undertaking, such advance or payment shall not prejudice or affect the liability of any baronies in respect of such dividends, or any presentment to be made in respect thereof, but the railway company shall be entitled to receive in repayment of any such advance or payment any sums chargeable upon such baronies in respect of such dividends so advanced or paid by the railway company, and which the said baronies would have been liable to pay if the amount of such dividends had not been advanced or paid by the railway company.

Dividends on baronial guaranteed shares.

13. The net receipts from time to time of the transferred undertaking applicable to dividend shall be applied in the first place in payment of dividend on the baronial guaranteed shares at the rate prescribed in the presentment of the grand jury by which the guarantee shall have been given, and subject to any agreement or guarantee which may be made or given by the railway company under this Act the holders of those shares shall not be entitled to any dividend out of any receipts or profits of the railway company other than the net profits of the transferred undertaking. And the holders of the baronial guaranteed shares shall not be entitled in respect thereof to any dividend in excess of the said prescribed rate, but the surplus net profits of the transferred undertaking in any half-year after payment of a dividend at the said prescribed rate

on the baronial guaranteed shares, and subject to the rights of the baronies under the fifth section of the Act of 1883 shall belong to the railway company, and may be applied by them accordingly.

Order in Council giving powers to railway company.

14. Where the Railway and Canal Commission have approved of the agreement for transfer, the Lord Lieutenant in Council may, on the application of the railway company, make and settle an Order in Council authorising the railway company to do all or any of the following matters; (that is to say,)

1. To raise from time to time additional capital by the issue of new stock or shares other than the baronial guaranteed shares:
2. To borrow money on mortgage of the transferred undertaking, or of the company's other undertakings, or any of them, or on any combination of such securities:
3. To create and issue debenture stock.

All powers conferred upon the railway company by such order shall be exercised in conformity with such conditions and with and subject to such limitations and powers as may be prescribed by the order.

Such order shall only be made where the railway company establishes to the satisfaction of the Lord Lieutenant in Council that a copy of the proposed order has been submitted to the proprietors of the railway company, held specially for that purpose, as if such order were a Bill promoted in Parliament by the railway company, and that all matters and things have been done and have happened, and all times have elapsed which if such order were a Bill so promoted as aforesaid, should have been done, and have happened, and elapsed in order to constitute compliance with the standing orders of Parliament applicable to Bills promoted by railway companies for the like purposes as those referred to in this section.

Application of money.

15. All money raised under any order of the Lord Lieutenant in Council made in pursuance of this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of the transferred undertaking only.

Power to Lord Lieutenant to make rules.

16. It shall be lawful for the Lord Lieutenant in Council by order to make from time to time such general rules as may seem fit for the effectual execution of this Act, and also for fixing the amount of any fees, and the allowance, taxation, and payment of any costs, charges, and expenses to be taken, allowed, and paid under this Act, and for the remuneration of any auditor or other person employed in the execution of this Act, under the direction and authority of a grand jury, and from time to time to revoke or amend any such rules, but no such rules shall have any effect until the expiration of one month after the same shall have been published in the Dublin Gazette and laid before both Houses of Parliament.

Taking possession of land.

17. Where the Treasury in pursuance of the Light Railways (Ireland) Act, 1889, have agreed with the promoters of any light railway that the undertaking of the promoters shall be aided by a

capital sum out of public money, the promoters, before the arbitrator has framed his draft award, may enter upon any land which they are authorised to take, on depositing in the Bank of Ireland such sum as may be certified to be proper by such valuer as may be appointed for the purpose by the Commissioners of Public Works, and the Treasury on the request of the promoters shall cause to be paid into the Bank, out of such capital sum, any sum required to be deposited in the Bank for the above purpose, and the Railways Acts (Ireland), 1851 and 1860, and the Acts amending the same, shall, as amended by this section, apply accordingly. 14 & 15 Vict. c. 70. 23 & 24 Vict. c. 97.

18. In this Act, unless there is something inconsistent in the context— Interpretation.

The expression "the railway company" shall mean any railway company who shall have entered or may hereafter enter into an agreement with the promoters of any tramway or railway undertaking under the Tramways (Ireland) Acts which shall have been approved by any grand jury for the transfer of such undertaking to such railway company:

The expression "the Tramways (Ireland) Acts" means the Tramways (Ireland) Act, 1860, the Tramways (Ireland) Amendment Act, 1861, the Act of the session of the thirty-fourth and thirty-fifth years of the reign of Her present Majesty, chapter one hundred and fourteen, the Tramways (Ireland) Amendment Act, 1881, the Tramways and Public Companies (Ireland) Act, 1883, the Light Railways (Ireland) Act, 1889, and the Railways (Ireland) Act, 1890. 23 & 24 Vict. c. 152. 24 & 25 Vict. c. 102. 34 & 35 Vict. c. 114. 44 & 45 Vict. c. 17. 46 & 47 Vict. c. 43. 52 & 53 Vict. c. 66. 53 & 54 Vict. c. 52.

19. This Act may be cited as the Transfer of Railways (Ireland) Act, 1890. Short title.

CHAPTER 3.

An Act to amend the Law relating to the Custody of Children. [26th March 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Where the parent of a child applies to the High Court or the Court of Session for a writ or order for the production of the child, and the Court is of opinion that the parent has abandoned or deserted the child, or that he has otherwise so conducted himself that the Court should refuse to enforce his right to the custody of the child, the Court may in its discretion decline to issue the writ or make the order. Power of Court as to production of child.

2. If at the time of the application for a writ or order for the production of the child the child is being brought up by another person, or is boarded out by the guardians of a poor law union, or by a parochial board in Scotland, the Court may, in its discretion, Power to Court to order repayment of costs of bringing up child.

if it orders the child to be given up to the parent, further order that the parent shall pay to such person, or to the guardians of such poor law union, or to such parochial board, the whole of the costs properly incurred in bringing up the child, or such portion thereof as shall seem to the Court to be just and reasonable, having regard to all the circumstances of the case.

Court in making order to have regard to conduct of parent.

3. Where a parent has—

(*a*) abandoned or deserted his child; or

(*b*) allowed his child to be brought up by another person at that person's expense, or by the guardians of a poor law union, for such a length of time and under such circumstances as to satisfy the Court that the parent was unmindful of his parental duties;

the Court shall not make an order for the delivery of the child to the parent, unless the parent has satisfied the Court that, having regard to the welfare of the child, he is a fit person to have the custody of the child.

Power to Court as to child's religious education.

4. Upon any application by the parent for the production or custody of a child, if the Court is of opinion that the parent ought not to have the custody of the child, and that the child is being brought up in a different religion to that in which the parent has a legal right to require that the child should be brought up, the Court shall have power to make such order as it may think fit to secure that the child be brought up in the religion in which the parent has a legal right to require that the child should be brought up. Nothing in this Act contained shall interfere with or affect the power of the Court to consult the wishes of the child in considering what order ought to be made, or diminish the right which any child now possesses to the exercise of its own free choice.

Definitions of "parent" and "person."

5. For the purposes of this Act the expression "parent" of a child includes any person at law liable to maintain such child or entitled to his custody, and "person" includes any school or institution.

Short title.

6. This Act may be cited as the Custody of Children Act, 1891.

CHAPTER 4.

An Act to amend the Law relating to Technical Instruction. [26th March 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Explanation of powers of local authority as to technical instruction. 52 & 53 Vict. c. 76.

1.—(1.) Subject to the conditions and restrictions contained in the Technical Instruction Act, 1889, a local authority may—

(*a.*) Make such provision in aid of the technical or manual instruction for the time being supplied in a school or institution outside its district as may, in the opinion of the authority,

be necessary for the requirements of the district in cases where similar provision cannot be so advantageously made by aiding a school or institution within its district; and

(*b*.) Provide or assist in providing scholarships for or pay or assist in paying the fees of students ordinarily resident in the district of the local authority at schools or institutions within or outside that district.

(2.) In distributing the provision made in aid of technical or manual instruction, the local authority may consider all the circumstances of the case, and shall not be bound to distribute the provision so made exclusively in proportion to the nature and amount of efficient technical or manual instruction supplied by those schools or institutions respectively.

Application of balances. 53 & 54 Vict. c. 60.

2. Any moneys received by a county council under sub-section (1) (*b*) of section one of the Local Taxation (Customs and Excise) Act, 1890, and directed by resolution of the county council to be appropriated or to be set aside for the purposes of technical or manual instruction, shall, although not expended or specifically contributed or allotted in whole or in part before the end of the financial year, remain applicable for such purposes, and shall not be applied in manner provided by sub-section (2) and the following sub-sections of section twenty-three of the Local Government Act, 1888, until the county council shall have made an order for such application. 51 & 52 Vict. c. 41.

Where a council shall have referred to a committee the question of appropriating to purposes of technical or manual instruction any sum consisting of the whole or any part of such moneys, this section, unless and until the council otherwise direct, shall, until the committee shall have made their report and the council shall have arrived at a decision thereon or the appointment of the committee shall have been rescinded, apply to such sum as if the same had been directed by the council to be appropriated to such purposes.

Construction of 53 & 54 Vict. c. 60. s. 1.

3. The expression "technical education" in section one of the Local Taxation (Customs and Excise) Act, 1890, shall be deemed to include both technical and manual instruction within the meaning of the Technical Instruction Acts, 1889 and 1891.

Short title and construction.

4. This Act may be cited as the Technical Instruction Act, 1891, and shall be construed as one with the Technical Instruction Act, 1889, and this Act and the Technical Instruction Act, 1889, may be cited together as the Technical Instruction Acts, 1889 and 1891.

CHAPTER 5.

An Act to provide, during twelve months, for the Discipline and Regulation of the Army. [26th March 1891.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by Her Majesty and this present Parliament, that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of Her Majesty's Crown, and that the whole number of such forces should consist of one hundred and fifty-three thousand six hundred and ninety-six men, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within Her Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in Her Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of Her Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet nevertheless it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert Her Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

44 & 45 Vict. c. 58.

And whereas the Army Act will expire in the year one thousand eight hundred and ninety-one on the following days:

(*a.*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b.*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, on the thirty-first day of July; and

(*c.*) Elsewhere, whether within or without Her Majesty's dominions, on the thirty-first day of December:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Army (Annual) Act, 1891.

Army Act (44 & 45 Vict. c. 58.) to be in force for specified times.

2.—(1.) The Army Act shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament; that is to say,

(*a.*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand

eight hundred and ninety-one to the thirtieth day of April one thousand eight hundred and ninety-two, both inclusive; and

(*b.*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, from the thirty-first day of July one thousand eight hundred and ninety-one to the thirty-first day of July one thousand eight hundred and ninety-two, both inclusive; and

(*c.*) Elsewhere, whether within or without Her Majesty's dominions, from the thirty-first day of December one thousand eight hundred and ninety-one to the thirty-first day of December one thousand eight hundred and ninety-two, both inclusive;

and the day from which the Army Act is continued in any place by this Act is in relation to that place referred to in this Act as the commencement of this Act.

(2.) The Army Act, while in force, shall apply to persons subject to military law, whether within or without Her Majesty's dominions.

(3.) A person subject to military law shall not be exempted from the provisions of the Army Act by reason only that the number of the forces for the time being in the service of Her Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned.

Prices in respect of billeting.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act the prices specified in the schedule to this Act.

Amendments of Army Act.

Amendment of 44 & 45 Vict. c. 58. s. 73 as to confession by soldier of desertion or fraudulent enlistment.

4. Whereas it is expedient that general or other officers commanding military districts should be competent military authorities for awarding forfeitures and deductions on confessions of desertion or fraudulent enlistment by soldiers; be it therefore enacted that—

In section seventy-three of the Army Act, after the words "commander-in-chief or adjutant-general," shall be inserted the words "or any general or other officer commanding a military district."

Explanation of 44 & 45 Vict. c. 58. s. 90, as to discharge or transfer to the reserve.

5. Whereas by section ninety, sub-section five, of the Army Act it is enacted as follows:—

"A soldier of the regular forces who is discharged on the completion of the term of his original enlistment or his re-engagement, as mentioned in the second sub-section of this section, or is transferred to the reserve, shall be entitled to be conveyed, free of cost, from the place in the United Kingdom where he is discharged or transferred to the place in which he appears from his attestation paper to have been attested, or to any place at which he may at the time of his discharge or transfer decide to take up his residence, and to which he can be conveyed without greater cost."

and doubts have been entertained as to the application of this provision in the case of soldiers transferred to the reserve, and it is expedient to remove such doubts; be it therefore enacted that—

To the said sub-section the following proviso shall be added:

"Provided that in the case of transfer to the reserve he shall not be entitled to be so conveyed to any place out of the United Kingdom."

Amendment of 44 & 45 Vict. c. 58. s. 91 as to lunatic soldiers.

6. Whereas the enactment referred to in sub-section three of section ninety-one of the Army Act has been superseded by the Lunacy Act, 1890, and it is expedient to substitute a reference to that Act; be it therefore enacted that—

In section ninety-one of the Army Act for the words "an order "by a justice within the meaning of section seventy-two of the "Act of the session of the sixteenth and seventeenth years of the "reign of Her present Majesty, chapter ninety-seven, intituled, "'An Act to consolidate and amend the laws for the provision and "'regulation of lunatic asylums for counties and boroughs, and for "'the maintenance and care of pauper lunatics in England,'" shall be substituted the words "a summary reception order within the "meaning of the Lunacy Act, 1890."

53 & 54 Vict. c. 5.

Amendment of 44 & 45 Vict. c. 58. s. 145 as to liability of soldier for maintenance of wife or child.

7. Whereas by section one hundred and forty-five of the Army Act provision is made for the enforcement of orders for payment by a soldier of the cost of maintenance of his wife or child or of any bastard child of whom he is the putative father, or of the cost of any relief to his wife or child given by way of loan, and doubts have been entertained as to the application of this provision in cases where a man becomes a soldier subsequently to the making of the order, and it is expedient to remove such doubts; be it therefore enacted that—

In sub-section two of section one hundred and forty-five of the Army Act for the words "for payment by a soldier of the regular forces" shall be substituted the words "for payment by a man who "is or subsequently becomes a soldier of the regular forces."

Amendment of 44 & 45 Vict. c. 58. s. 146 as to qualification of officer for county council.

8. To section one hundred and forty-six of the Army Act (which disqualifies officers of the regular forces for holding certain offices) the following proviso shall be added:—

"Provided that nothing in this section shall disqualify any officer for being elected to or being a member of a county council."

Amendment of 44 & 45 Vict. c. 58. s. 156 as to certificates of military pensioners and of members of army reserve.

9. Whereas it is expedient to provide penalties for the detention of certificates of military pensioners and of men belonging to the army reserve; therefore to section one hundred and fifty-six of the Army Act the following sub-section shall be added:—

"(9.) Every person who receives, detains, or has in his possession the identity certificate or life certificate of a person entitled to a military pension or to reserve pay as a pledge or security for a debt, or with a view to obtain payment from the pensioner or person entitled to the pay of a debt due either to himself or to any other person, shall be liable on summary conviction to the like penalty as for an offence under sub-section one of this section, and the certificate shall be deemed to be property within the meaning of this section."

10. Whereas by section one hundred and eighty-three of the Army Act it is provided that an army schoolmaster shall not be liable to be reduced to the ranks, but it is expedient that an army schoolmaster transferred from the ranks should be capable of being reduced to the rank which he held at the date of his transfer; be it therefore enacted that— Amendment of 44 & 45 Vict. c. 58. s. 183 as to army schoolmasters.

In section one hundred and eighty-three of the Army Act after the words " An army schoolmaster shall not be liable to be reduced " to the ranks " shall be inserted the words " (unless he has been " transferred from the ranks in which case he may be reduced to " the rank which he held at the date of transfer ").

SCHEDULE.

Section 3.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where hot meal furnished.	Twopence halfpenny per night.
Hot meal as specified in Part I. of the Second Schedule to the Army Act.	One shilling and one penny halfpenny each.
Where no hot meal furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Fourpence per day.
Ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Lodging and attendance for officer - -	Two shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 6.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand eight hundred and ninety, one thousand eight hundred and ninety-one, and one thousand eight hundred and ninety-two.

[26th March 1891.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's

most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 845,825*l.* 10*s.* 11*d.* out of the Consolidated Fund for the service of the years ending 31st March 1890 and 1891.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the years ending on the thirty-first day of March one thousand eight hundred and ninety and one thousand eight hundred and ninety-one, the sum of eight hundred and forty-five thousand eight hundred and twenty-five pounds ten shillings and elevenpence.

Issue of 12,953,803*l.* out of the Consolidated Fund for the service of the year ending 31st March 1892.

2. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and ninety-two, the sum of twelve million nine hundred and fifty-three thousand eight hundred and three pounds.

Power to the Treasury to borrow.

3. The Commissioners of the Treasury may borrow from time to time, on the credit of the said sums, any sum or sums not exceeding in the whole the sum of thirteen million seven hundred and ninety-nine thousand six hundred and twenty-eight pounds ten shillings and elevenpence, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1891.

CHAPTER 7.

An Act to amend the Seed Potatoes Supply (Ireland) Act, 1890. [26th March 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited as the Seed Potatoes Supply (Ireland) Act, 1891, and shall be read and construed as one with the Seed Potatoes Supply (Ireland) Act, 1890 (herein-after referred to as "the principal Act").

Amendment of 54 Vict. c. 1. s. 5.

2. Sub-section (*c*) of sub-section (1) of section five of the principal Act is hereby repealed from the words "but no such

sale" to the end of the sub-section, as regards all sales heretofore and hereafter made under the provisions thereof: Provided that upon any such sale it shall be lawful for the guardians to obtain such security as they may think sufficient for the payment of the price of the seed sold.

CHAPTER 8.

An Act to make better provision for the Recovery of Tithe Rentcharge in England and Wales. [26th March 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Liability of owner to pay tithe rentcharge, and modification of contracts with tenants.

1.—(1.) Tithe rentcharge as defined by this Act issuing out of any lands shall be payable by the owner of the lands, notwithstanding any contract between him and the occupier of such lands, and any contract made between an occupier and owner of lands, after the passing of this Act, for the payment of the tithe rentcharge by the occupier shall be void.

(2.) Where the occupier is liable under any contract made before the passing of this Act to pay the tithe rentcharge, then he shall cease to be bound by that part of his contract, but he shall be liable to pay to the owner such sum as the owner has properly paid on account of the tithe rentcharge which such occupier is liable under his said contract to pay, exclusive of any costs incurred or paid by the owner in respect of such tithe rentcharge, and every receipt given for such sum shall state expressly that the sum is paid in respect of that tithe rentcharge: Provided that where the lands, out of which any tithe rentcharge issues, are occupied by several occupiers who have contracted to pay the tithe rentcharge, any of such occupiers shall be liable only to pay such proportion of the sum paid by the owner of the lands on account of that tithe rentcharge as the rateable value of the lands occupied by him bears to the rateable value of the whole of the lands occupied by such occupiers.

(3.) Such sum shall be recoverable from the occupier by distress in like manner as is provided by sections eighty-one and eighty-five of the Act of the session of the sixth and seventh years of the reign of King William the Fourth, chapter seventy-one, and the enactments amending those sections, and not otherwise.

Recovery of tithe rentcharge through county court.

2.—(1.) Where any sum due on account of tithe rentcharge issuing out of any lands is in arrear for not less than three months, the person entitled to such sum may, whatever is the amount, apply to the county court of the district in which the lands or any part thereof are situate, and the county court, after such service on the owner of the lands as may be prescribed, and after hearing such owner if he appears and desires to be heard, may order that the said sum, or such part thereof as appears to the court to be due, be,

together with the costs, recovered in manner provided by this Act, and tithe rentcharge as defined by this Act shall not be recovered in any other manner.

(2.) Where it is shown to the court that the lands are occupied by the owner thereof, the order shall be executed by the appointment by the court of an officer who, subject to the direction of the court, shall have the like powers of distraint for the recovery of the sum ordered to be paid as are conferred by the Tithe Acts on the owner of a tithe rentcharge for the recovery of arrears of tithe rentcharge, and no greater or other powers; and if there is no sufficient distress the person entitled to the sum ordered to be recovered may proceed to obtain possession of the lands under section eighty-two of the Tithe Act, 1836.

6 & 7 Will. 4. c. 71.

(3.) In any other case the order shall be executed by the appointment by the court of a receiver of the rents and profits of the lands, and of any other lands which would be liable to be distrained upon for the tithe rentcharge to which the order refers under the provisions of section eighty-five of the Tithe Act, 1836, and where any of such lands are held at one rent together with other lands in another parish, the court shall apportion the rent between the said lands and the lands in the other parish in proportion to their rateable value, in which case the payment of such apportioned rent by the occupier to the receiver shall in every respect, as between the occupier and the owner of the lands, be deemed to be a payment on account of the total rent payable to the owner of such lands.

(4.) Subject to the prescribed regulations, the county court shall have the same powers over receivers as in any other case, and may confer on the person appointed receiver any powers which the court can confer upon persons appointed receivers, but the court shall not have power to order the sale of the lands.

(5.) Any sum ordered by the court under this section to be recovered shall be payable by a trustee in bankruptcy, sheriff, or officer of a court who is in possession of the lands, in like manner as if it were tithe rentcharge recoverable under the Tithe Acts.

(6.) Where the occupier of the lands out of which the tithe rentcharge issues is liable under any contract made before the passing of this Act to pay the tithe rentcharge, and is consequently liable by virtue of this Act to pay the amount thereof to the owner of the lands, the owner of the lands shall serve notice of such liability on the owner of the tithe rentcharge, and thereupon, before an order under this section is made, there shall be such service on the occupier in addition to the owner as may be prescribed, and a hearing of such occupier if he appears and desires to be heard. Any owner of the lands who fails to serve such notice as aforesaid on the owner of the tithe rentcharge, shall not be entitled to recover from the occupier any sum which he has paid on account of tithe rentcharge as aforesaid, unless and until he has, after notice to the occupier of his application for the same, obtained from the county court a certificate that there was good and sufficient cause for the failure to give such notice, and that the occupier has not been prejudiced thereby.

(7.) Rules under this Act may regulate the procedure practice and costs under this Act in county courts, and may direct what service

shall be good service for the purposes of this Act on the owner or occupier of any lands or the owner of any tithe rentcharge, and may provide that, if the owner of any lands is not known, any proceeding under this Act may be taken against the owner of the lands without naming the person who is the owner.

(8.) The fees payable on the proceedings under this section shall not exceed those set forth in the schedule to this Act, and the fees, charges, and expenses in or incidental to any distress under this Act shall be the same as are for the time being payable under the Law of Distress Amendment Act, 1888. 51 & 52 Vict. c. 21.

(9.) Nothing in this Act shall impose or constitute any personal liability upon any occupier or owner of lands for the payment of any tithe rentcharge, or any other sum recoverable or payable under this Act, and the court shall not, by virtue of this Act, or of the County Courts Act, 1888, have any power to imprison any such occupier or owner by reason only of the nonpayment of such tithe rentcharge or other sum, and shall in any other case have no other or greater powers of fine or imprisonment than are conferred by the County Courts Act, 1888. 51 & 52 Vict. c. 43.

Rules.

3.—(1.) The Lord Chancellor may, after consultation with the Rule Committee of County Court Judges, make rules for carrying this Act into effect, and for regulating, providing, and prescribing any matter authorised by this Act to be regulated, provided, or prescribed by rules under this Act. In framing such rules regard shall be had to making the procedure as simple and inexpensive as is practicable.

(2.) Every rule under this Act shall be laid before each House of Parliament within forty days next after it is made, if Parliament is then sitting, or, if not, within forty days after the commencement of the then next ensuing session, and if an address is presented to Her Majesty by either House of Parliament within the next subsequent forty days on which the said House shall have sat, praying that any such rule may be annulled, Her Majesty may thereupon, by Order in Council, annul the same; and the rule so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the same.

Lands occupied rent free, &c.

4. Where a receiver appointed under this Act of the rents and profits of any lands satisfies the county court that the lands are let on such terms as not to reserve a rent sufficient to enable the receiver to recover from the owner thereof the sum ordered to be recovered, the court, after such service on the owner and occupier of the lands as may be prescribed, and after hearing such owner and occupier if they appear and desire to be heard, may direct that the order for such recovery shall be executed as if the occupier were the owner of the lands: Provided that any such occupier shall be entitled in addition to any other remedy, unless he would have been liable to pay the tithe rentcharge under any contract made before the passing of this Act, to deduct from any sums at any time becoming due from him to the landlord under whom he holds, any amount which shall have been recovered from him under this

section in respect of tithe rentcharge or costs, with interest thereon at the rate of four per centum per annum: Provided further, that such occupier shall be entitled, notwithstanding anything in this Act, to recover from such landlord by action at law any such amount which shall have been recovered from him under this section as aforesaid as money paid on the account of such landlord.

Restrictions as to costs.

5.—(1.) An application to a county court for an order under this Act may be made on behalf of the tithe owner by his agent, although not a solicitor.

(2.) On any application to a county court for an order under this Act, no costs either of a solicitor or of a witness shall be allowed in any case where the amount claimed is paid without further proceedings, nor where notice of intention to apply for time to pay the tithe owner's claim has been given (except in cases where costs could be allowed by the court on a judgment summons), and when notice of opposition has been given within the prescribed time, the costs of a solicitor shall only be allowed for work done subsequent to the notice.

Rating of owner of tithe rentcharge.

6.—(1.) Any rate to which tithe rentcharge is subject shall be assessed on and may be recovered from the owner of the tithe rentcharge, in the like manner and by the like process as on and from any occupying ratepayer; and so much of any Act as authorises any rate on tithe rentcharge to be assessed on or recovered from the occupier of any lands out of which the tithe rentcharge issues is hereby repealed.

(2.) If the collector of the rate satisfies the county court that he is unable to recover in manner aforesaid any rate assessed on the owner of any tithe rentcharge, the court may, after such service on the owners of the tithe rentcharge, and of the lands out of which the tithe rentcharge issues, as may be prescribed, and after hearing such owners, if they appear and desire to be heard, order the owner of the lands to pay such tithe rentcharge to the collector until the amount of the rate, and any costs allowed by the court, are fully paid; and the order may be executed as if it were an order under this Act for the payment of a sum due on account of the tithe rentcharge.

(3.) The court may, if satisfied that the circumstances justify it, make such order as aforesaid in respect of any future rate, either generally or during the time limited by the order.

(4.) The expression "rate" in this section means a poor rate, highway rate, general district rate, borough rate, and every other rate assessed on an owner of tithe rentcharge by a public authority for public purposes; and the expression "collector" means the overseer, surveyor of highways, rate-collector, or other person authorised, for the time being, to collect the rate.

Power of appeal.

7. If any party in any action or matter under this Act shall be dissatisfied with the determination or direction of the judge of the county court in point of law or equity, or upon the admission or rejection of any evidence, the party aggrieved by the judgment, direction, decision, or order of the judge may appeal from the same to the High Court, in such manner and subject to such conditions

as may be for the time being provided by the rules of the Supreme Court regulating the procedure on appeals from inferior courts to the High Court.

Remission of tithe rentcharge when exceeding two-thirds annual value of land. 16 & 17 Vict. c. 34.

8.—(1.) Where a sum is claimed on account of tithe rentcharge issuing out of any lands, and the county court is satisfied that, if the sum claimed is paid, the total amount paid on account of the tithe rentcharge for the period of twelve months next preceding the day on which the sum claimed became payable, will exceed two-thirds of the annual value of the lands as ascertained and entered in the assessment for the purpose of Schedule B. to the Income Tax Act, 1853, or as certified as herein-after mentioned, the court shall order the remission of so much, whether the whole or part of the sum claimed, as is equal to the excess, and the amount so ordered to be remitted shall not be recoverable; and if the court is satisfied that neither such remission, nor the liability thereto, has been taken into account in estimating the rateable value of the tithe rentcharge, the court may remit such amount of any then current rate assessed on the owner of the tithe rentcharge as appears to the court to be proportionate to the amount of the remission of tithe rentcharge.

(2.) Where the lands out of which any tithe rentcharge issues are assessed for the purposes of the said Schedule B. together with other lands, the surveyor of taxes for the parish in which the lands are so assessed, on the application of the owner or occupier of the lands, shall divide the annual value in such assessment between the lands out of which any tithe rentcharge issues and the other lands, and give notice of the annual value of the lands as determined on such division to the applicant and to the owner of the tithe rentcharge; and if either of them is dissatisfied with the annual value so determined, he may appeal to the general commissioners of income tax for the division in which the lands are assessed, and those commissioners, after due notice to and hearing the parties or their agents if any of them wishes to be so heard, shall finally determine the proper division of the annual value; and the annual value of lands so determined as aforesaid shall, for the purposes of this section, be the annual value of the lands as ascertained for the purpose of the said Schedule B.

(3.) For the purposes of this section the owner of tithe rentcharge shall have the same right of appeal as the owner of lands, whether under the enactments relating to the said assessment or under this section.

(4.) If in any case the annual value of any lands is not ascertained and entered in the assessment for the purpose of the said Schedule B., the general commissioners of income tax for the division in which the lands are situate shall, on the application of the owner or occupier of the lands, ascertain the annual value of the lands for the purpose of the said Schedule B., and inform the applicant of the same.

(5.) The commissioners of taxes shall on demand and payment of one shilling give a certificate of the amount of the annual value of any lands under this section.

6 & 7 Will. 4. c. 71.

(6.) Where it appears from any award that a special apportionment has been made in pursuance of section fifty-eight of the Tithe Act, 1836, whereby tithe rentcharge has been charged specially upon certain closes of land in different proportions, and to the exclusion of certain of them, the court shall not grant a remission under this section unless satisfied that the applicant would have been entitled to such remission if no such special apportionment had been made.

(7.) Where two or more tithe rentcharges issue out of the same lands, and a remission of tithe rentcharge has been made by a county court under this section, the amount paid by the owner of the lands on account of tithe rentcharge shall be divided between the owners of such tithe rentcharges in proportion to the amount thereof as fixed by the apportionment or any altered apportionment.

(8.) This section shall not apply to any lands other than those used solely for agricultural or pastoral purposes or for the growth of timber or underwood.

Definitions.

9.—(1.) A reference in this Act to the "owner" of lands or tithe rentcharge,—

(*a*) if the ownership of the lands or rentcharge is vested in the Queen in right of Her Crown, means the Commissioners of Woods, in substitution for the Queen; and

(*b*) if the ownership of the lands or rentcharge is vested in the Duke of Cornwall, means the keeper of the records of the Duchy of Cornwall, in substitution for the Duke of Cornwall; and

(*c*) in any other case, means the same officers or persons as are mentioned in the Tithe Act, 1836.

6 & 7 Will. 4. c. 71., ss. 12, 13.

(2.) In this Act, unless the context otherwise requires,—

The expression "tithe rentcharge" means tithe rentcharge issuing out of lands and payable in pursuance of the Tithe Acts, and includes any rentcharge into which a corn rent has, either before or after the passing of this Act, been converted under the Tithe Act, 1860, and which is subject to the like incidents as such tithe rentcharge as aforesaid; but does not include a rentcharge payable under the Extraordinary Tithe Redemption Act, 1886, nor a rentcharge payable under the Tithe Act, 1860, in respect of the tithes on any gated or stinted pasture, nor a sum or rate payable for each head of cattle or stock turned on land subject to common rights or held or enjoyed in common.

23 & 24 Vict. c. 93.

49 & 50 Vict. c. 54.

23 & 24 Vict. c. 93.

The expression "prescribed" means prescribed by rules under this Act.

Commencement and application of Act and saving.

10.—(1.) This Act shall extend to every sum on account of tithe rentcharge which first becomes payable on or after the half-yearly day of payment of such tithe rentcharge which occurs next after the passing of this Act, whether such sum accrued before or after that day, and shall not extend to sums due on account of tithe rentcharge which were in arrear before the passing of this Act, nor, except so far as relates to the assessment and recovery of rates, shall it extend to tithe rentcharge issuing out of the lands of a railway company.

(2.) A sum on account of tithe rentcharge shall not be recoverable under this Act unless proceedings for such recovery have been commenced before the expiration of two years from the date at which it became payable.

(3.) Nothing in this Act shall alter the priority of any tithe rentcharge in relation to any other charge or incumbrance upon any lands.

(4.) Any enactment in the Tithe Acts or in the Extraordinary Tithe Redemption Act, 1886, directing any expenses, rentcharge, or other sums to be recovered as tithe rentcharge, shall, as respects any sum becoming due after the passing of this Act, be construed to refer to the recovery of tithe rentcharge under this Act, save that the owner of the lands shall not be entitled to obtain any remission under this Act.

11. Section eighty-four of the Tithe Act, 1836, is hereby repealed. Repeal.

12.—(1.) This Act shall not extend to Scotland or Ireland. Extent of Act and short titles.

(2.) This Act may be cited as the Tithe Act, 1891.

(3.) The Act of the session of the sixth and seventh years of the reign of King William the Fourth, chapter seventy-one, intituled "An Act for the commutation of tithes in England and Wales," is in this Act referred to and may be cited as the Tithe Act, 1836, and that Act and the enactments amending the same passed before the passing of this Act are in this Act referred to and may be cited as the Tithe Acts.

(4.) The Act of the session of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter ninety-three, intituled "An Act to amend and further extend the Acts for the "commutation of Tithes in England and Wales," is in this Act referred to and may be cited as the Tithe Act, 1860.

(5.) The Act of the session of the sixteenth and seventeenth years of the reign of Her present Majesty, chapter thirty-four, intituled "An Act for granting to Her Majesty duties on profits "arising from property, professions, trades, and offices," is in this Act referred to and may be cited as the Income Tax Act, 1853.

SCHEDULE.

Fees under Section 2 of the Tithe Act, 1891.

Where the sum claimed does not exceed five pounds :

For notice of application to the court - - -	One shilling.
For making the order - - - -	One shilling and sixpence.

Where the sum claimed exceeds five pounds :

For notice of application to the court - -	One shilling for every five pounds and fraction above five pounds or any multiple of five pounds of the sum claimed.
For making the order -	One shilling and sixpence for every five pounds and fraction above five pounds or any multiple of five pounds of the sum claimed.

But the total fee in any one case shall not exceed—

For notice of the application - - - -	Ten shillings.
For making the order - - - - -	Fifteen shillings.

CHAPTER 9.

An Act to make provisions in regard to the Registration of certain Writs in the Divisions of the General Register of Sasines for Scotland. [11th May 1891.]

WHEREAS the alterations of the boundaries of certain counties made by orders of the Boundary Commissioners for Scotland in pursuance of the Local Government (Scotland) Act, 1889, will affect the registration of writs in the appropriate divisions of the General Register of Sasines for Scotland, and such orders will, unless Parliament shall otherwise determine, come into operation on or before the fifteenth day of May one thousand eight hundred and ninety-one:

52 & 53 Vict. c. 50.

And whereas certain of said orders have received and others await confirmation as provided in the recited Act:

And whereas it is expedient that for the purposes of registration as aforesaid the coming into operation of all such orders should be postponed to a date which may be applicable to all orders made or to be made by the said Commissioners:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisions in regard to the registration of certain writs in the General Register of Sasines for Scotland.

1. With respect to the registration of writs in the General Register of Sasines for Scotland, the following provisions shall have effect, that is to say:—

(1.) The orders of the Boundary Commissioners for Scotland made or to be made in pursuance of the Local Government (Scotland) Act, 1889, notwithstanding the dates specified in such orders respectively, and notwithstanding the confirmation of any of such orders as provided in the recited Act, shall, for the purpose of regulating the registration of writs in the appropriate divisions of the General Register of Sasines for Scotland, and for that purpose only, come into operation on but not before the fifteenth day of May one thousand eight hundred and ninety-two:

(2.) It shall not be necessary that separate divisions of the General Register of Sasines be kept for the counties of Orkney and Zetland:

(3.) All enactments in this or any other Act and anything done thereunder affecting the registration of writs relating to any lands in Scotland shall be deemed and taken to apply to the registration of writs relating to the teinds of such lands:

(4.) Nothing contained in this Act shall invalidate any writ recorded in the General Register of Sasines for Scotland before the passing of this Act, or affect injuriously any rights de-

pending on such writs, or, except in so far as herein expressly provided, interfere with the operation of any order of the said Commissioners.

2. This Act may be cited for all purposes as the Registration of Certain Writs (Scotland) Act, 1891. Short title.

CHAPTER 10.

An Act to make temporary Provision for the business of the Middlesex Registry of Deeds. [11th May 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. All powers by the Act of the seventh year of Queen Anne, chapter twenty, and the Acts amending it, vested or exerciseable in or by the registrars or masters therein mentioned collectively, or in or by any of them individually, shall be transferred to and may be exercised by the registrar of the Land Registry, and rules may be made by the Lord Chancellor for carrying this Act into effect. Transfer of registrar's duties.

2. This Act may be cited as the Middlesex Registry Act, 1891; and the Act of the seventh year of Queen Anne, chapter twenty, may be cited as the Middlesex Registry Act, 1708. Short titles.

CHAPTER 11.

An Act to remove certain Disabilities of Persons by reason of absence to be registered as Voters at Parliamentary and Local Elections. [11th May 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Electoral Disabilities Removal Act, 1891. Short title.

2. A person shall not be disqualified from being registered— Temporary absence of person in performance of duty not to disqualify as elector.

(*a.*) in the parliamentary register of electors for a county or borough in respect of his inhabitant occupation of a dwelling-house or lodgings or his occupation of any land or tenement; or

(*b.*) in the local government register of electors for a county or borough in respect of his occupation of any house, warehouse, counting-house, shop, building, land, or tenement,

by reason only that during part of the qualifying period not exceeding four months at any one time, he has in the performance of any duty arising from or incidental to any office, service, or employment held or undertaken by him been absent from his dwelling-house or lodgings, or not resided in or within the required distance from such county or borough.

× compulsory absence for longer - loses vote Lacombe v Siney 1907 1 KB 139

CHAPTER 12.

An Act to remove doubts as to the Powers of Public Bodies in reference to Provisional Order Bills under the Railway and Canal Traffic Act, 1888. [11th May 1891.]

35 & 36 Vict. c. 91.

WHEREAS by an Act of the thirty-fifth and thirty-sixth years of the reign of Her present Majesty, chapter ninety-one, intituled "An Act to authorise the application of funds of municipal "corporations and other governing bodies in certain cases," hereinafter referred to as the Borough Funds Act, authority is given to the council of any municipal borough, the board of health, local board, commissioners, trustees, or other body acting under any general or local Act of Parliament for the management, improvement, cleansing, paving, lighting, and otherwise governing places or districts, to apply the borough fund or rate, or other the public funds or rates under the control of any such governing body, to the payment of the costs, charges, and expenses of promoting or opposing any local and personal Bill or Bills in Parliament:

51 & 52 Vict. c. 41. 52 & 53 Vict. c. 50.

And whereas by the Local Government Act, 1888, and the Local Government (Scotland) Act, 1889, the county council of an administrative county has the same powers of opposing Bills in Parliament as are conferred on the council of a municipal borough by the above-recited Act of the thirty-fifth and thirty-sixth years of Victoria, chapter ninety-one:

51 & 52 Vict. c. 53.

And whereas by the Borough Funds (Ireland) Act, 1888, similar powers were conferred upon governing bodies in Ireland:

51 & 52 Vict. c. 25.

And whereas by the Railway and Canal Traffic Act, 1888, it was, among other things, provided that if while any Bill to confirm a Provisional Order by the Board of Trade under section twenty-four of that Act be pending in either House of Parliament a petition be presented against the Bill, or any classification and schedule comprised therein, the Bill, so far as it relates to the matter petitioned against, should be referred to a select committee, or, if the two Houses of Parliament think fit so to order, to a joint committee of such Houses, and the petitioner should be allowed to appear and oppose as in the case of a private Bill; and further, it was by the said Act provided that the Act of Parliament confirming any Provisional Order made under that section should be a public general Act:

And whereas doubts have been entertained whether in view of the said enactment governing bodies as defined by the Borough Funds Act and the Borough Funds (Ireland) Act, 1888, respectively

and county councils have power to apply the funds or rates under their control in opposing or subscribing towards the opposition of any Bill to confirm any Provisional Order made under section twenty-four of the Railway and Canal Traffic Act, 1888, and it is expedient that such doubts should be removed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of governing bodies and county councils with reference to Bills for confirming Provisional Orders made under 51 & 52 Vict. c. 25. s. 24.

1. Every governing body within the meaning of the Borough Funds Act or the Borough Funds (Ireland) Act, 1888, and every county council shall be entitled to be a petitioner and to appear and oppose any Bill to confirm any Provisional Order made under section twenty-four of the Railway and Canal Traffic Act, 1888, and to provide or contribute towards providing the expenses of the appearance or opposition of a petitioner out of the funds or rates under their respective control, as if the Bill for confirming such Provisional Order were a local or personal Bill within the meaning of section two of the Borough Funds Act, or of section three of the Borough Funds (Ireland) Act, 1888; and the provisions of the said last-mentioned Acts respectively shall apply to any such appearance or opposition, and to any expenses incurred or to be incurred in relation thereto: Provided that in the case of a county council no consent of owners and ratepayers shall be required.

Short title.

2. This Act may be cited as the Railway and Canal Traffic (Provisional Orders) Amendment Act, 1891.

CHAPTER 13.

An Act to regulate the Remuneration payable to Clerks to Commissioners of Income Tax and Inhabited House Duties, and to Assessors and Collectors thereof.

[11th May 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Abolition of poundage to clerks to Commissioners and assessors. 43 & 44 Vict. c. 19.

1. The allowances and remuneration which a clerk to Commissioners of Income Tax and Inhabited House Duties and an assessor are entitled to receive by virtue of the Taxes Management Act, 1880, are hereby abolished as respects the year commencing on the sixth day of April one thousand eight hundred and ninety-one and any subsequent year.

Allowance to clerks to Commissioners.

2. The person holding the office of Clerk to the Commissioners of Income Tax and Inhabited House Duties shall, in lieu of the allowances and remuneration which he would have received if this Act had not been passed, receive a sum not less than the amount

paid to the clerk by way of poundage for the year which commenced on the sixth day of April one thousand eight hundred and ninety, and also a further sum not less than one third of the aggregate amount allowed to the clerk for expenses necessarily incurred in the due execution of the Acts relating to the Land Tax and Inhabited House Duties during the same year and the two preceding years.

Allowance o assessors.

3. The Assessor of Income Tax and Inhabited House Duties for any area of assessment shall, in lieu of the allowance which he would have received if this Act had not been passed, receive—

(*a.*) In respect of assessments of the duties under Schedules (D.) and (E.) of the Income Tax Acts, the same amount as the amount of the allowance to the assessor for the year which commenced on the sixth day of April one thousand eight hundred and ninety, and also

(*b.*) In any year in which he acts as assessor of the duties under Schedules (A.) and (B.) of the Income Tax Acts and of Inhabited House Duties, the same amount as the amount of the allowance to the assessor appointed for the year which commenced on the sixth day of April one thousand eight hundred and eighty-eight in respect of the assessments for those duties:

Provided that in the event of a change in any area of assessment the Commissioners of Income Tax and Inhabited House Duties for the division or district shall have power to adjust and apportion the amounts receivable under this section as they shall think fit.

Allowance to collectors.

4. The collector of Income Tax and Inhabited House Duties for any area of collection shall, in lieu of the allowance or allowances which he would or might have received if this Act had not been passed, receive for his services such remuneration, not being less than the amount of the allowance or allowances to the collector for the year which commenced on the sixth day of April one thousand eight hundred and ninety, as the Commissioners of Inland Revenue, with the approval of the Treasury, may direct, and the payment of such remuneration shall be made in such manner and under such regulations as the said Commissioners may prescribe.

Provided that, in the event of a change in any area of collection, the Commissioners of Income Tax and Inhabited House Duties for the division or district shall have power to adjust and apportion the amounts receivable under this section as they shall think fit.

Amendment of 43 & 44 Vict. c. 19.

5. The Taxes Management Act, 1880, shall be read, as respects the year commencing on the sixth day of April one thousand eight hundred and ninety-one and any subsequent year, as if the amount to be received by the clerk under this Act were substituted for all the allowances and remuneration in clause one in the First Schedule to that Act, and as if the amount to be received by the assessor or collector under this Act were substituted for the allowances specified in clauses two and three of the same schedule.

6. Nothing in this Act contained shall have any operation or effect in the case of an assessor appointed to act in a division or district where the Commissioners of Income Tax and Inhabited House Duties have fixed or shall hereafter fix the amount of the remuneration of such assessor under section twenty-five of the Customs and Inland Revenue Act, 1885. Act not to affect 48 & 49 Vict. c. 51. s. 25.

7. This Act may be cited as the Taxes (Regulation of Remuneration) Act, 1891. Short title.

CHAPTER 14.

An Act to provide for the Trial of Civil Causes in the City of London. [11th May 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Notwithstanding anything in the Courts of Justice Building Act, 1865, or any Order in Council thereunder contained, sittings may be held in the city of London by judges of the High Court under commissions issued for the trial of issues or inquiries in cases at nisi prius. Sittings may be held by judges in the City. 28 & 29 Vict. c. 48.

2. This Act may be cited as the Supreme Court of Judicature (London Causes) Act, 1891. Short title.

CHAPTER 15.

An Act to amend the Merchandise Marks Act, 1887. [11th May 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The customs entry relating to imported goods shall, for the purposes of the Merchandise Marks Act, 1887, be deemed to be a trade description applied to the goods. Customs entry to be trade description. 50 & 51 Vict. c. 28

2.—(1.) The Board of Trade may, with the concurrence of the Lord Chancellor, make regulations providing that in cases appearing to the Board to affect the general interests of the country, or of a section of the community, or of a trade, the prosecution of offences under the Merchandise Marks Act, 1887, shall be undertaken by the Board of Trade, and prescribing the conditions on which such Official prosecutions.

prosecutions are to be so undertaken. The expenses of prosecutions so undertaken shall be paid out of moneys provided by Parliament.

(2.) All regulations made under this section shall be laid before Parliament within three weeks after they are made if Parliament is then sitting, and if Parliament is not then sitting, within three weeks after the beginning of the next session of Parliament, and shall be judicially noticed, and shall have effect as if enacted by this Act, and shall be published under the authority of Her Majesty's Stationery Office.

(3.) Nothing in this Act shall affect the power of any person or authority to undertake prosecutions otherwise than under the said regulations.

Short title.

3. This Act may be cited as the Merchandise Marks Act, 1891, and the Merchandise Marks Act, 1887, and this Act may be cited together as the Merchandise Marks Acts, 1887 and 1891.

CHAPTER 16.

An Act to extend to Army Schools the benefit of certain Educational Endowments. [11th May 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension to Army schools of provisions of schemes relating to educational endowments.

1.—(1.) Where any scheme in force for the regulation of any endowed charity or charities, established or approved before or after the passing of this Act, includes any provision for the benefit of children who are or have been scholars in a public elementary school, an army school shall be deemed a public elementary school within the meaning of those provisions.

(2.) In this Act the expression "army school" means a school established for the purpose of affording education to children of non-commissioned officers and men of Her Majesty's regular land forces, and conducted under the authority of a Secretary of State or of the Admiralty, and a certificate of the Director General of Military Education or of the Inspector of Naval Schools, as the case may require, shall be sufficient evidence that a school is an army school within the meaning of this Act.

Short title.

2. This Act may be cited as the Army Schools Act, 1891.

CHAPTER 17.

An Act to facilitate the Recovery of Rentcharges and other Payments owing to Charities. [11th May 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction

1. This Act, so far as is consistent with the tenor thereof, shall be construed together with the Charitable Trusts Acts, 1853 to 1869, and those Acts and this Act may be cited together as the Charitable Trusts Acts, 1853 to 1891, and this Act may be cited as the Charitable Trusts (Recovery) Act, 1891.

Interpretation.

2. In this Act, unless the context requires otherwise,—

The expression "the Board" means the Charity Commissioners for England and Wales:

The expression "prescribed" means prescribed by rules made under the provisions of this Act.

Power to Board to sue for recovery of property belonging to charities.

3. Where it appears to the Board that any action, petition, or other proceeding should be instituted for the recovery of any property, the gross annual income of which does not, in the opinion of the Board, exceed twenty pounds a year, and which appears to the Board to belong to a charity, the Board may itself, with the sanction of the Attorney General, institute such proceeding on behalf of the charity; and the expenses of the Board of and incidental to such action, petition, or proceeding shall be paid in like manner as if they were costs of the Attorney General in a charity matter.

Mode of procedure by Board.

4.—(1.) When the Board is authorised to make any application to or appear in any court, or to institute any action, petition, or other proceeding, such application or appearance may be made, and such action, petition, or proceeding may be instituted, in the name of the Charity Commissioners for England and Wales, and not in the names of the persons who are the Commissioners.

(2.) Any action, petition, application, appearance, or other proceeding instituted or made by the Board shall not abate or become defective by reason of any change in the persons who are the Commissioners, but the Commissioners for the time being shall be deemed to be parties thereto.

(3.) For the purposes of any such action, petition, application, appearance, or other proceeding, any document may be served on the Board by being addressed to the Board and delivered at or sent by post to the office of the Board, or by being served on the Secretary to the Board.

(4.) Any application by the Board to the Court in pursuance of this Act may be made in manner for the time being directed by rules of court.

Special remedies given to Board.

5. For the purposes of any action, petition, or proceeding instituted by the Board under this Act the following provisions shall have effect:—

Old reports of Charity Commissioners to be evidence. 58 Geo. 3. c. 91.

(1.) The printed reports of the Charity Commissioners appointed under an Act passed in the fifty-eighth year of the reign of His Majesty George the Third, and intituled "An Act for "appointing Commissioners to inquire concerning charities "in England for the education of the poor," and under other Acts for inquiring into charities, shall be admissible as primâ facie evidence of the documents and facts therein stated; provided that either party intending to use any such report as evidence shall give notice of such intention in the prescribed manner to the other party:

Payment for twelve years to be presumptive evidence.

(2.) Where any yearly or other periodical payment has been made in respect of any land, to or for the benefit of any charity or charitable purpose, for twelve consecutive years, such payment shall be deemed, subject to any evidence which may be given to the contrary, primâ facie evidence of the perpetual liability of such land to such yearly or other periodical payment, and no proof of the origin of such payment shall be necessary.

Rules.

6. Rules for practice and procedure under this Act, including fees and costs, whether in the Supreme Court of Judicature or in the county court, may from time to time be made by the authority and in the manner by and in which rules may be made for regulating the practice and procedure in such Supreme Court or county court, as the case may be.

Extent of Act.

7. This Act shall not extend to Scotland or Ireland.

CHAPTER 18.

An Act for the removal of Doubts arising under the Registration of Electors Acts. [11th June 1891.]

41 & 42 Vict. c. 26.

WHEREAS under section thirty of the Parliamentary and Municipal Registration Act, 1878, one half of the expenses and receipts under the Registration of Electors Acts in respect of an area common to a parliamentary borough and a municipal borough are defrayed and applied in accordance with the Parliamentary Registration Acts, and one half are paid out of and to the borough fund:

51 & 52 Vict. c. 10.

And whereas by section four of the County Electors Act, 1888, the said Act, together with other Registration of Electors Acts, is applied to a parish not situate in a municipal borough, with the substitution of "parish" for "municipal borough":

And whereas doubts have arisen whether, having regard to the provisions of section eight of the said Act, the provisions of section thirty of the Parliamentary and Municipal Registration Act, 1878, were applied by virtue of the above-recited enactment, and it is expedient to remove such doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Registration of Electors Act, 1891, and shall be construed as one with the Registration of Electors Acts, 1843 to 1888, which Acts, together with this Act, may be cited as the Registration of Electors Acts, 1843 to 1891. Short title and construction.

2. Where a parish is situate in a parliamentary but not in a municipal borough, one half of the expenses and receipts under the Registration Acts, 1843 to 1888, in respect of such parish shall, as from the passing of the County Electors Act, 1888, be defrayed out of and paid to the county fund, and the other half of such expenses shall be defrayed out of and paid to the rate raised in such parish for the relief of the poor. The revising barrister shall as part of the business of the revision, if necessary, determine what expenses and receipts are incurred or arise or have been incurred or have arisen under the said Acts in respect of such parish. Application of 41 & 42 Vict. c. 26. s. 30. to expenses in a parish situate in a parliamentary and not in a municipal borough.

CHAPTER 19.

An Act to enable Her Majesty, by Order in Council, to make Special Provision for prohibiting the Catching of Seals in Behring's Sea by Her Majesty's Subjects during the Period named in the Order. [11th June 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1.) Her Majesty the Queen may, by Order in Council, prohibit the catching of seals by British ships in Behring's Sea, or such part thereof as is defined by the said Order, during the period limited by the Order, Power to prohibit by Order in Council the hunting of seals in Behring's Sea.

(2.) While an Order in Council under this Act is in force—

(*a.*) A person belonging to a British ship shall not kill, or take, or hunt, or attempt to kill or take, any seal within Behring's Sea during the period limited by the Order; and

(*b.*) A British ship shall not, nor shall any of the equipment or crew thereof, be used or employed in such killing, taking, hunting, or attempt.

(3.) If there is any contravention of this Act, any person committing, procuring, aiding, or abetting such contravention shall be guilty of a misdemeanor within the meaning of the Merchant Shipping Act, 1854, and the ship and her equipment, and everything on board thereof shall be forfeited to Her Majesty as if an offence had been committed under section one hundred and three of the said Act, and the provisions of sections one hundred and three and one hundred and four, and Part Ten of the said Act (which are set out in the Schedule to this Act) shall apply as if they were herein re-enacted, and in terms made applicable to an offence and forfeiture under this Act. 17 & 18 Vict. c. 104.

(4.) Any commissioned officer on full pay in the naval service of Her Majesty shall have power, during the period limited by the

Order, to stop and examine any British ship in Behring's Sea, and to detain her, or any portion of her equipment, or any of her crew, if in his judgment the ship is being or is preparing to be used or employed in contravention of this section.

(5.) If a British ship is found within Behring's Sea having on board thereof fishing or shooting implements or seal skins or bodies of seals, it shall lie on the owner or master of such ship to prove that the ship was not used or employed in contravention of this Act.

Orders in Council.

2.—(1.) Her Majesty the Queen in Council may make, revoke, and alter Orders for the purposes of this Act, and every such Order shall be forthwith laid before both Houses of Parliament and published in the London Gazette.

(2.) Any such Order may contain any limitations, conditions, qualifications, and exceptions which appear to Her Majesty in Council expedient for carrying into effect the object of this Act.

Application and construction of Act, and short title.

3.—(1.) This Act shall apply to the animal known as the fur seal, and to any marine animal specified in that behalf by an Order in Council under this Act, and the expression "seal" in this Act shall be construed accordingly.

(2.) The expression "Behring's Sea" in this Act means the seas known as Behring's Sea within the limits described in an Order under this Act.

(3.) The expression "equipment" in this Act includes any boat, tackle, fishing or shooting instruments, and other things belonging to the ship.

(4.) This Act may be cited as the Seal Fishery (Behring's Sea) Act, 1891

SCHEDULE.

ENACTMENTS OF MERCHANT SHIPPING ACT (17 & 18 VICT. C. 104.) APPLIED.

SECTION 103.

* * * * *

And in order that the above provisions as to forfeitures may be carried into effect, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of Customs, or any British Consular officer, to seize and detain any ship which has, either wholly or as to any share therein, become subject to forfeiture as aforesaid, and to bring her for adjudication before the High Court of Admiralty in England or Ireland, or any court having Admiralty jurisdiction in Her Majesty's dominions; and such court may thereupon make such order in the case as it may think fit, and may award to the officer bringing in the same for adjudication such portion of the proceeds of the sale of any forfeited ship or share as it may think right.

SECTION 104.

Officer not liable for any seizure made on reasonable grounds.

No such officer as aforesaid shall be responsible, either civilly or criminally, to any person whomsoever, in respect of the seizure or detention of any ship that has been seized or detained by him in pursuance of the provisions herein contained, notwithstanding that such ship is not brought

in for adjudication, or, if so brought in, is declared not to be liable to forfeiture, if it is shown to the satisfaction of the judge or court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds for such seizure or detention; but if no such grounds are shown, such judge or court may award payment of costs and damages to any party aggrieved, and make such other order in the premises as it thinks just.

PART X.—LEGAL PROCEDURE.

Application.

Application.

SECTION 517.

Application of Part X. of the Act.

The Tenth Part of this Act shall in all cases, where no particular country is mentioned, apply to the whole of Her Majesty's dominions.

Legal Procedure (General).

Legal Procedure (General).

SECTION 518.

Punishment of offences, and recovery of penalties.

In all places within Her Majesty's dominions, except Scotland, the offences herein-after mentioned shall be punished and penalties recovered in manner following; (that is to say,)

(1.) Every offence by this Act declared to be a misdemeanor shall be punishable by fine or imprisonment with or without hard labour, and the court before which such offence is tried may in England make the same allowances and order payment of the same costs and expenses as if such misdemeanor had been enumerated in the Act passed in the seventh year of His late Majesty King George the Fourth, chapter sixty-four, or any other Act that may be passed for the like purpose, and may in any other part of Her Majesty's dominions make such allowances and order payment of such costs and expenses (if any) as are payable or allowable upon the trial of any misdemeanor under any existing Act or Ordinance or as may be payable or allowable under any Act or law for the time being in force therein: 7 Geo. 4. c. 64

(2.) Every offence declared by this Act to be a misdemeanor shall also be deemed to be an offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by a penalty not exceeding one hundred pounds, and may be prosecuted accordingly in a summary manner, instead of being prosecuted as a misdemeanor:

(3.) Every offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by any penalty not exceeding one hundred pounds, shall in England and Ireland be prosecuted summarily before any two or more justices, as to England in the manner directed by the Act of the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, chapter forty-three, and as to Ireland in the manner directed by the Act of the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, chapter ninety-three, or in such other manner as may be directed by any Act or Acts that may be passed for like purposes: And all provisions contained in the said Acts shall be applicable to such prosecutions in the same manner as if the offences in respect of which the same are instituted were hereby stated to be offences in respect of which two or more justices have power to convict summarily or to make a summary order:

(4.) In all cases of summary convictions in England, where the sum adjudged to be paid exceeds five pounds, or the period of imprisonment adjudged exceeds one month, any person who thinks himself aggrieved by such conviction may appeal to the next court of general or quarter sessions.

(5.) All offences under this Act shall in any British possession be punishable in any court or by any justice of the peace or magistrate in which or by whom offences of a like character are ordinarily punishable, or in such other manner, or by such other courts, justices, or magistrates, as may from time to time be determined by any Act or Ordinance duly made in such possession in such manner as Acts and Ordinances in such possession are required to be made in order to have the force of law.

SECTION 519.

Stipendiary magistrate to have same power as two justices.

Any stipendiary magistrate shall have full power to do alone whatever two justices of the peace are by this Act authorised to do.

SECTION 520.

Offence where deemed to have been committed.

For the purpose of giving jurisdiction under this Act, every offence shall be deemed to have been committed, and every cause of complaint to have arisen, either in the place in which the same actually was committed or arose, or in any place in which the offender or person complained against may be.

SECTION 521.

Jurisdiction over ships lying off the coasts.

In all cases where any district within which any court or justice of the peace or other magistrate has jurisdiction, either under this Act or under any other Act or at common law, for any purpose whatever, is situate on the coast of any sea, or abutting on or projecting into any bay, channel, lake, river, or other navigable water, every such court, justice of the peace, or magistrate shall have jurisdiction over any ship or boat being on or lying or passing off such coast, or being in or near such bay, channel, lake, river, or navigable water as aforesaid, and over all persons on board such ship or boat or for the time being belonging thereto, in the same manner as if such ship, boat, or persons were within the limits of the original jurisdiction of such court, justice, or magistrate.

SECTION 522.

Service to be good if made personally, or on board ship.

Service of any summons or other matter in any legal proceeding under this Act shall be good service, if made personally on the person to be served, or at his last place of abode, or if made by leaving such summons for him on board any ship to which he may belong with the person being or appearing to be in command or charge of such ship.

SECTION 523.

Sums ordered to be paid leviable by distress on ship.

In all cases where any court, justice or justices of the peace, or other magistrate, has or have power to make an order directing payment to be made of any seaman's wages, penalties, or other sums of money, then, if the party so directed to pay the same is the master or owner of a ship, and the same is not paid at the time and in manner prescribed in the order, the court, justice or justices, or other magistrate, who made the order, may, in addition to any other powers they or he may have for the purpose of compelling payment, direct the amount remaining unpaid to be levied by distress or poinding and sale of the said ship, her tackle, furniture, and apparel.

SECTION 524.

Application of penalties.

Any court, justice, or magistrate imposing any penalty under this Act, for which no specific application is herein provided, may, if it or he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any wrong or damage which he may have sustained by the act or default in respect of which such penalty is imposed, or to be applied in or

towards payment of the expenses of the proceedings; and, subject to such directions or specific application as aforesaid, all penalties recovered in the United Kingdom shall be paid into the receipt of Her Majesty's Exchequer in such manner as the Treasury may direct, and shall be carried to and form part of the Consolidated Fund of the United Kingdom; and all penalties recovered in any British possession shall be paid over into the public treasury of such possession, and form part of the public revenue thereof.

SECTION 525.

Limitation of time in summary proceedings.

The time for instituting summary proceedings under this Act shall be limited as follows; (that is to say,)

(1.) No conviction for any offence shall be made under this Act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the commission of the offence; or, if both or either of the parties to such proceeding happen during such time to be out of the United Kingdom, unless the same is commenced within two months after they both first happen to arrive or to be at one time within the same:

(2.) No conviction for any offence shall be made under this Act in any proceeding instituted in any British possession, unless such proceeding is commenced within six months after the commission of the offence; or if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within two months after they both first happen to arrive or to be at one time within such jurisdiction:

(3.) No order for the payment of money shall be made under this Act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the cause of complaint arises; or, if both or either of the parties happen during such time to be out of the United Kingdom, unless the same is commenced within six months after they both first happen to arrive or to be at one time within the same:

(4.) No order for the payment of money shall be made under this Act in any summary proceeding instituted in any British possession, unless such proceeding is commenced within six months after the cause of complaint arises; or, if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within six months after they both first happen to arrive or be at one time within such jurisdiction:

And no provision contained in any other Act or Acts, Ordinance or Ordinances, for limiting the time within which summary proceedings may be instituted shall affect any summary proceeding under this Act.

SECTION 526.

Document proved without calling attesting witness.

Any document required by this Act to be executed in the presence of or to be attested by any witness or witnesses, may be proved by the evidence of any person who is able to bear witness to the requisite facts, without calling the attesting witness or witnesses or any of them.

SECTION 527.

Power of judge of court of record or Admiralty to arrest foreign

Whenever any injury has, in any part of the world, been caused to any property belonging to Her Majesty or to any of Her Majesty's subjects by any foreign ship, if at any time thereafter such ship is found in any port or river of the United Kingdom or within three miles of the coast thereof, it

ship that has occasioned damage.

shall be lawful for the judge of any court of record in the United Kingdom, or for the judge of the High Court of Admiralty, or in Scotland the Court of Session, or the sheriff of the county within whose jurisdiction such ship may be, upon its being shown to him by any person applying summarily that such injury was probably caused by the misconduct or want of skill of the master or mariners of such ship, to issue an order directed to any officer of Customs or other officer named by such judge, requiring him to detain such ship until such time as the owner, master, or consignee thereof has made satisfaction in respect of such injury, or has given security, to be approved by the judge, to abide the event of any action, suit, or other legal proceeding that may be instituted in respect of such injury, and to pay all costs and damages that may be awarded thereon; and any officer of Customs or other officer to whom such order is directed shall detain such ship accordingly.

SECTION 528.

Power in certain cases to detain ship before application made to judge.

In any case where it appears that before any application can be made under the foregoing section such foreign ship will have departed beyond the limits therein mentioned, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of Customs, or any British consular officer, to detain such ship until such time as will allow such application to be made and the result thereof to be communicated to him; and no such officer shall be liable for any costs or damages in respect of such detention unless the same is proved to have been made without reasonable grounds.

SECTION 529.

Who to be defendant to suit in such cases.

In any action, suit, or other proceeding in relation to such injury, the person so giving security as aforesaid shall be made defendant or defender, and shall be stated to be the owner of the ship that has occasioned such damage; and the production of the order of the judge made in relation to such security shall be conclusive evidence of the liability of such defendant or defender to such action, suit, or other proceeding.

Legal Procedure (Scotland).

Legal Procedure (Scotland).

SECTION 530.

Offences punishable as misdemeanors.

In Scotland every offence which by this Act is described as a felony or misdemeanor may be prosecuted by indictment or criminal letters at the instance of Her Majesty's Advocate before the High Court of Justiciary, or by criminal libel at the instance of the procurator fiscal of the county before the sheriff, and shall be punishable with fine and with imprisonment, with or without hard labour in default of payment, or with imprisonment, with or without hard labour, or with both, as the court may think fit, or in the case of felony with penal servitude, where the court is competent thereto; and such court may also, if it think fit, order payment by the offender of the costs and expenses of the prosecution.

SECTION 531.

Summary proceedings.

In Scotland, all prosecutions, complaints, actions, or proceedings under this Act, other than prosecutions for felonies or misdemeanors, may be brought in a summary form before the sheriff of the county, or before any two justices of the peace of the county or burgh where the cause of such prosecution or action arises, or where the offender or defender may be for the time, and when of a criminal nature or for penalties, at the instance of the procurator fiscal of court, or at the instance of any party aggrieved,

with concurrence of the procurator fiscal of court; and the court may, if it think fit, order payment by the offender or defender of the costs of the prosecution or action.

Section 532.

Form of complaint.

In Scotland, all prosecutions, complaints, actions, or other proceedings under this Act may be brought either in a written or printed form, or partly written and partly printed, and where such proceedings are brought in a summary form it shall not be necessary in the complaint to recite or set forth the clause or clauses of the Act on which such proceeding is founded, but it shall be sufficient to specify or refer to such clause or clauses, and to set forth shortly the cause of complaint or action, and the remedy sought; and when such complaint or action is brought in whole or in part for the enforcement of a pecuniary debt or demand, the complaint may contain a prayer for warrant to arrest upon the dependence.

Section 533.

Mode of requiring appearance of defender and witnesses.

In Scotland, on any complaint or other proceeding brought in a summary form under this Act being presented to the sheriff clerk or clerk of the peace, he shall grant warrant to cite the defender to appear personally before the said sheriff or justices of the peace on a day fixed, and at the same time shall appoint a copy of the same to be delivered to him by a sheriff officer or constable, as the case may be, along with the citation; and such deliverance shall also contain a warrant for citing witnesses and havers to compear at the same time and place to give evidence and produce such writs as may be specified in their citation; and where such warrant has been prayed for in the complaint or other proceeding, the deliverance of the sheriff clerk or clerk of the peace shall also contain warrant to arrest upon the dependence in common form: Provided always, that where the apprehension of any party, with or without a warrant, is authorised by this Act, such party may be detained in custody until he can be brought at the earliest opportunity before any two justices, or the sheriff who may have jurisdiction in the place, to be dealt with as this Act directs, and no citation or inducie shall in such case be necessary.

Section 534.

Backing arrestments.

When it becomes necessary to execute such arrestment on the dependence against goods or effects of the defender within Scotland, but not locally situated within the jurisdiction of the sheriff or justices of the peace by whom the warrant to arrest has been granted, it shall be competent to carry the warrant into execution on its being indorsed by the sheriff clerk or clerk of the peace of the county or burgh respectively within which such warrant comes to be executed.

Section 535.

Compelling attendance of witnesses.

In all proceedings under this Act in Scotland the sheriff or justices of the peace shall have the same power of compelling attendance of witnesses and havers as in cases falling under their ordinary jurisdiction.

Section 536.

Proceedings to be vivâ voce.

The whole procedure in cases brought in a summary form before the sheriff or justices of the peace in Scotland shall be conducted vivâ voce, without written pleadings, and without taking down the evidence in writing, and no record shall be kept of the proceedings other than the complaint, and the sentence or decree pronounced thereon.

SECTION 537.

Power to adjourn.

It shall be in the power of the sheriff or justices of the peace in Scotland to adjourn the proceedings from time to time to any day or days to be fixed by them, in the event of absence of witnesses or of any other cause which shall appear to them to render such adjournment necessary.

SECTION 538.

Sentence to be in writing.

Imprisonment to be inflicted in default of payment.

In Scotland all sentences and decrees to be pronounced by the sheriff or justices of the peace upon such summary complaints shall be in writing; and where there is a decree for payment of any sum or sums of money against a defender, such decree shall contain warrant for arrestment, poinding, and imprisonment in default of payment, such arrestment, poinding, or imprisonment to be carried into effect by sheriffs officers or constables, as the case may be, in the same manner as in cases arising under the ordinary jurisdiction in the sheriff or justices: Provided always, that nothing herein contained shall be taken or construed to repeal or affect an Act of the fifth and sixth years of William the Fourth, intituled "An "Act for abolishing, in Scotland, imprisonment for civil debts of small "amount."

5 & 6 W. 4. c. 70.

SECTION 539.

Sentence and penalties in default of defender's appearance.

In all summary complaints and proceedings for recovery of any penalty or sum of money in Scotland, if a defender who has been duly cited shall not appear at the time and place required by the citation, he shall be held as confessed, and sentence or decree shall be pronounced against him in terms of the complaint, with such costs and expenses as to the court shall seem fit: Provided always, that he shall be entitled to obtain himself reponed against any such decree at any time before the same be fully implemented, by lodging with the clerk of court a reponing note, and consigning in his hands the sum decerned for, and the costs which had been awarded by the court, and on the same day delivering or transmitting through the post to the pursuer or his agent a copy of such reponing note; and a certificate by the clerk of court of such note having been lodged shall operate as a sist of diligence till the cause shall have been reheard and finally disposed of, which shall be on the next sitting of the court, or on any day to which the court shall then adjourn it.

SECTION 540.

Warrant to apprehend in default of appearance.

In all summary complaints or other proceedings not brought for the recovery of any penalty or sum of money in Scotland, if a defender, being duly cited, shall fail to appear, the sheriff or justices may grant warrant to apprehend and bring him before the court.

SECTION 541.

Backing sentences or decrees.

In all cases where sentences or decrees of the sheriff or justices require to be enforced within Scotland, but beyond the jurisdiction of the sheriff or justices by whom such sentences or decrees have been pronounced, it shall be competent to carry the same into execution upon the same being indorsed by the sheriff clerk or clerk of the peace of the county or burgh within which such execution is to take place.

SECTION 542.

Orders not to be quashed for want of form; and to be final.

No order, decree, or sentence pronounced by any sheriff or justice of the peace in Scotland under the authority of this Act shall be quashed or vacated for any misnomer, informality, or defect of form; and all orders, decrees, and sentences so pronounced shall be final and conclusive, and not subject to suspension, advocation, reduction, or to any form of review or stay of

execution, except on the ground of corruption or malice on the part of the sheriff or justices, in which case the suspension, advocation, or reduction must be brought within fourteen days of the date of the order, decree, or sentence complained of: Provided always, that no stay of execution shall be competent to the effect of preventing immediate execution of such order, decree, or sentence.

SECTION 543.

General rules, so far as applicable, to extend to penalties and proceedings in Scotland.

Such of the general provisions with respect to jurisdiction, procedure, and penalties contained in this Act as are not inconsistent with the special rules herein-before laid down for the conduct of legal proceedings and the recovery of penalties in Scotland, shall, so far as the same are applicable, extend to such last-mentioned proceedings and penalties: Provided always, that nothing in this Act contained shall be held in any way to annul or restrict the common law of Scotland with regard to the prosecution or punishment of offences at the instance or by the direction of the Lord Advocate, or the rights of owners or creditors in regard to enforcing a judicial sale of any ship and tackle, or to give to the High Court of Admiralty of England any jurisdiction in respect of salvage in Scotland which it has not heretofore had or exercised.

CHAPTER 20.

An Act for the better Preservation of the Pollen Fisheries in Ireland. [3rd July 1891.]

WHEREAS the laws relating to the fisheries of Ireland do not sufficiently provide for the preservation of the pollen fisheries thereof:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Act.

1. This Act shall not apply to England or Scotland.

Short title and construction.

2. This Act may be cited for all purposes as the Pollen Fisheries (Ireland) Act, 1891, and shall be construed together with the Salmon Fishery Acts now in force in Ireland, and be incorporated therewith.

Pollen under certain size not to be taken.

3. From on and after the passing of this Act it shall be illegal to take pollen of less size than eight inches in length, measured from the nose to the utmost extent of the tail, and any person wilfully taking, killing, destroying, buying, selling or exposing for sale, sending, or having in his custody or possession any pollen of less size than that herein-before mentioned shall forfeit one shilling for every such fish so taken, killed, destroyed, bought, sold, or exposed for sale, sent, or in his possession or custody, together with all such fish: and all persons empowered to enforce the provisions of the said Salmon Fishery Acts shall be and are hereby empowered to seize all such pollen.

Exception of pollen caught or kept for

4. Nothing in this Act contained shall apply to any person who shall catch or attempt to catch or shall have in his possession such

certain purposes.

pollen for scientific purposes, with the written permission of the inspectors of Irish fisheries.

Constabulary, water bailiffs, and others empowered to open and examine baskets and boxes.

5. It shall be lawful for all officers and men of the constabulary and for all persons empowered to enforce the provisions of the Salmon Fishery Acts, to open and examine all baskets and boxes and other packages containing fish, whether at railway stations, docks or quays, markets, stores, fishing places, or any other places whatsoever, for the purpose of enforcing the provisions of this Act and of the said Acts: Provided that none of the parties hereby authorised to open and examine such baskets, boxes, and other packages shall be liable for any damage caused by such opening and examining, unless the same shall be done wantonly and maliciously.

Constabulary, water bailiffs, and others empowered to stop and search boats on salmon rivers.

6. All officers and men of the constabulary, and any inspectors, water bailiffs, or other officers appointed under the said Acts, acting within the limits of his district, may do all or any of the following things in addition to all other powers or duties conferred on him by the said Acts or this Act (that is to say):—

(1.) Stop and search on any river, lake, or estuary or part of the sea coast, any boat, barge, corach, or other vessel used in fishing, or which there is reasonable cause to suspect contains any pollen, and seize any fish, instrument of fishing or other articles forfeited in pursuance of the said Acts or this Act; and any person refusing to allow any such boat, barge, corach, or other vessel to be stopped and searched, or resisting or obstructing any such officer or man of the constabulary or any such inspector, water bailiff, or other officer in any such search, shall for every such offence be liable to a penalty not exceeding five pounds and not less than two pounds.

(2.) Search and examine all nets, baskets, bags, hampers, boxes, or other instruments used in fishing or in carrying fish by persons whom there is reasonable cause to suspect of having possession of fish illegally caught; seize all fish and other articles forfeited in pursuance of the said Acts or this Act. Any person refusing to allow any nets, baskets, bags, hampers, boxes, or other instruments used in fishing or in carrying fish to be searched or examined, or resisting or obstructing any such officer or man of the constabulary or any such inspector, water bailiff, or other officer in any such search or examination, shall for every such offence be liable to a penalty not exceeding five pounds and not less than two pounds.

Water bailiff's warrant sufficient authority.

7. The production by the water bailiff or other officer of the instrument of his appointment, executed in the manner prescribed by this Act, shall be a sufficient warrant for any water bailiff or other officer exercising the authority given to him under the said Acts or this Act: Provided always, that the production of such instrument by any officer shall not be necessary, unless he has first been required to produce it.

Proof of validity of warrant.

8. All instruments of appointment by any board of conservators made in pursuance of the said Acts of any treasurer, clerk, inspector, water bailiff, or other officer shall be prepared and printed in such

form as the said inspectors of Irish fisheries shall prescribe, or from time to time think necessary to adopt; and shall be stamped with the seal of such board, and signed by not less than three members thereof. And in all cases where it shall hereafter become necessary to prove any such appointment in any court of law or justice, or elsewhere, the production of such instrument of appointment purporting to be sealed with the seal of such board shall be deemed and taken as full and sufficient evidence of such appointment.

Officers acting under Fishery Acts to carry out this Act.

9. All officers and men of the constabulary, and all other officers and persons appointed to carry out and enforce the provisions of the Salmon Fishery Acts, now in force, shall also be empowered to carry out and enforce the provisions of this Act.

Recovery of penalties.

10. All penalties imposed by this Act shall be recovered and applied in manner in which penalties under the said Acts are recoverable and applicable.

CHAPTER 21.

An Act to amend the Law relating to Savings Banks.

[3rd July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Description of trustee savings banks.

1.—(1.) A trustee savings bank may not be designated or described in any manner which imports that the Government is responsible or liable to depositors for money placed in the safe keeping of the bank, and may not bear any title other than that of "savings bank certified under the Act of 1863," with such additional local description, if any, as may be required for the sake of distinctiveness.

(2.) If default is made in compliance with the requirements of this section in the case of any trustee savings bank, the provisions of section fifty-five of the Trustee Savings Banks Act, 1863, shall apply as in the case of neglect or refusal to obey any orders or directions given by the National Debt Commissioners.

26 & 27 Vict. c. 87.

Establishment of Inspection Committee.

2.—(1.) There shall be established an Inspection Committee of trustee savings banks.

(2.) The persons named in the First Schedule to this Act shall, with the approval of the National Debt Commissioners, frame a scheme for the appointment of the Committee, and for determining the mode in which the members of the Committee are to be appointed and their term of office, and, subject to the provisions of this Act, their powers, procedure, and duties. The persons so named may act by a majority of their number, and may signify their acts by an instrument in writing signed by any two of them.

(3.) A paid officer of a trustee savings bank shall not be eligible to be a member of the Committee.

(4.) The Committee may, with the approval of the National Debt Commissioners, modify a scheme framed under this section.

(5.) The Committee may, with the approval of the Treasury, appoint such officers as may appear to be required for the execution of the duties of the Committee under this Act.

(6.) The members of the Committee shall be entitled to such remuneration by way of fees or otherwise as may be approved by the Treasury.

(7.) Every scheme made in pursuance of this section and every modification thereof shall be laid before both Houses of Parliament.

Powers and duties of Inspection Committee.

3.—(1.) The Inspection Committee may appoint persons to inspect the books and accounts of trustee savings banks, and to examine and ascertain and report to the Committee from time to time with respect to each bank, whether the bank has complied with the requirements of the Acts and rules relating to the bank as to the security to be taken from officers, the accounts of the bank and the conduct of its business, and whether any portion of the expenditure is excessive or unnecessary; and every trustee savings bank shall give all due facilities for enabling any such inspection or examination to be made.

(2.) If on the report of any such person it appears to the Committee that any trustee savings bank has made default in giving such facilities or complying with any of the requirements aforesaid, or that any portion of the expenditure of the bank is excessive or unnecessary the Committee shall call upon the bank to remedy the default, or, as the case may be, to reduce the expenditure, within a specified time, and if the default is not remedied or the expenditure is not reduced within that time the Committee shall report the matter to the National Debt Commissioners.

(3.) Thereupon the National Debt Commissioners may in their discretion either close the account of the trustees of the bank, in which case the provisions of section fifty-five of the Trustee Savings Banks Act, 1863, shall apply as in the case of neglect or refusal to obey any orders or directions given by the Commissioners, or report the matter to the Treasury with a view of action being taken under section two of the Trustee Savings Banks Act, 1887, or adopt both of these courses.

26 & 27 Vict. c. 87.

50 & 51 Vict. c. 47.

(4.) The trustees of every trustee savings bank shall, on the requisition of the Committee, supply the Committee with a copy of the pass book in use in the bank, of the annual general statement of the accounts of the bank, and of the rules of the bank, and of any amendments thereof.

(5.) If in the opinion of the Committee the rules of any such bank are insufficient for the purpose of maintaining an efficient audit, the bank shall with all convenient speed make such additional rules as may, in the opinion of the Committee, be required for the purpose.

(6.) If the bank do not, within a time specified by the Committee from the date of being required to make any such rules, comply with the requirement, the Committee may make such rules, and

shall submit the rules so made to the registrar of friendly societies, to be certified by him; and, when so certified, they shall be binding on the trustees.

(7.) The Committee shall annually report their proceedings under this Act to the National Debt Commissioners, and this report shall be laid before Parliament.

(8.) The Committee may, with the approval of the National Debt Commissioners, make rules for regulating the duties of persons appointed by the Committee under this section.

(9.) The Committee may act by a majority of the members present and voting at any meeting of the Committee, and may signify their acts by an instrument in writing signed by any two of the members of the Committee, and an act of the Committee shall not be invalid by reason only of any vacancy in their number.

Expenses of Inspection Committee.

4.—(1.) Such of the expenses (including the remuneration of members and officers) incidental to the exercise by the Inspection Committee of their powers under this Act as may be sanctioned by the Treasury on the recommendation of the National Debt Commissioners may, to an extent not exceeding six thousand pounds in any one year, be paid out of the interest earned in that year by the National Debt Commissioners in respect of the separate surplus fund which has accrued under section twenty-nine of the Savings Banks Act, 1863, and which does not carry interest to the trustees of savings banks.

(2.) If in any year the amount available under the foregoing provision is insufficient for payment of the expenses so sanctioned the deficiency shall, in accordance with a scheme made by the Committee, with the approval of the National Debt Commissioners, be defrayed out of contributions from the several trustee savings banks. The amount to be contributed by each trustee savings bank shall not exceed threepence per one hundred pounds on the amount of the funds appearing by the last annual statement of the bank to be invested on behalf of the bank and in respect of money invested in the names of the National Debt Commissioners may be deducted by those Commissioners from the interest payable to the trustees of the bank on the money so invested, and in respect of money otherwise invested shall be paid by the trustees of the bank on the requisition of the said Commissioners.

Powers of National Debt Commissioners to determine certain questions as to savings banks.

5.—(1.) If, on any report by the Inspection Committee, any question arises as to what constitute the necessary expenses attending the management of a trustee savings bank within the meaning of section two of the Trustee Savings Banks Act, 1863, whether involving the withdrawal of any portion of the separate surplus fund, in pursuance of section twenty-nine of the said Act, or not, the decision of the National Debt Commissioners on the question shall be conclusive.

(2.) No application to the National Debt Commissioners for a payment from the separate surplus fund standing at the credit of any savings bank shall be entertained unless it have the previous sanction of the Inspection Committee.

Amendment of law as to closing trustee savings bank.

6.—(1.) Notwithstanding anything in section three of the Act of the session of the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter fourteen, intituled "An Act to amend the law relating to Post Office Savings Banks," it shall not be necessary for the trustees of a trustee savings bank to pay off, either in money or by transfer to a post office savings bank, three fourths of their depositors amount before closing the bank, but they shall not close the bank before the expiration of one month from the giving of the notice required by that section.

(2.) Where the trustees of a trustee savings bank propose to close the bank they shall give to depositors such notice as the National Debt Commissioners may require of the facilities afforded by law to depositors for transferring their deposits to a post office savings bank.

Office of trustee to be vacated for non-attendance at meetings.

7.—(1.) If a trustee of a trustee savings bank is absent from all the meetings of the trustees and of the committee of management (if any) held during any period of twelve months ending with the twentieth day of November, and has not during that period performed any of the duties imposed on trustees and managers by the paragraph numbered (2) of section six of the Savings Banks Act, 1863, his office as trustee shall at the end of that period become vacant, and he shall not, unless he has before the end of that period explained to the satisfaction of the Inspection Committee his absence or the non-performance of his duties, be eligible for re-appointment until the expiration of one year from the end of that period, and until he is re-appointed his name shall not be allowed to continue in the list of trustees, but the vacation of his office shall not affect any liability which he may have incurred as trustee before the date at which he vacates his office.

(2.) Where a vacancy occurs in pursuance of this section the trustees of the savings bank shall forthwith send notice of the vacancy to the National Debt Commissioners and to the Committee of Inspection.

Form of annual statement by trustees of trustee savings banks.

8. The annual statement required by section fifty-five of the Trustee Savings Banks Act, 1863, to be made by the trustees and managers of every trustee savings bank shall be in such form and contain or be accompanied by such particulars as the National Debt Commissioners direct. A similar statement shall be sent to the inspection committee each year at the same time.

Amendment of 26 & 27 Vict. c. 87. s. 8.

9. The security to be given in pursuance of section eight of the Trustee Savings Banks Act, 1863, may either be in the form required by that section or, with the permission of the National Debt Commissioners, be the deposit of money or Government securities or the bond of a guarantee society.

Provisions as to special investments.

10. The power of a trustee savings bank to make investments (herein-after referred to as special investments) in pursuance of section sixteen of the Trustee Savings Banks Act, 1863, shall be subject to the following restrictions, namely:—

(*a.*) An investment shall not be made after the commencement of this Act on behalf of any person unless he is at the time of making the investment a depositor in the bank to the extent of not less than fifty pounds: Provided that nothing in this

sub-section shall prevent the continuance of special investments in behalf of any person who is before the passing of this Act a depositor under section sixteen of the Trustee Savings Banks Act, 1863;

(*b.*) The total amount to be invested after the commencement of this Act on behalf of any one depositor shall not exceed five hundred pounds in the aggregate;

(*c.*) The money received for investment after the commencement of this Act shall not be invested in any manner not for the time being authorised by law in the case of investment by trustees, and shall not be invested on mortgage of land or any interest in land;

(*d.*) The accounts of the bank shall be kept so as to distinguish between the receipts and expenditure on account of special investments and the receipts and expenditure on account of the general business of the bank;

(*e.*) The assets of the bank in respect of ordinary deposits shall not be chargeable with any part of the expenditure on account of special investments, and shall not be liable for any loss or deficiency in respect of special investments;

(*f.*) The security required by section eight of the Trustee Savings Banks Act, 1863, as amended by this Act, shall comprise separate security in respect of the amount received on account of special investments;

(*g.*) The annual statement required by section fifty-five of the Trustee Savings Bank Act, 1863, shall contain, or be accompanied by, such particulars with respect to the special investments of the bank as the National Debt Commissioners direct;

(*h.*) The rules of the bank shall provide to the satisfaction of the inspection committee for the audit, examination, and publication of the investment accounts, for the safe custody of the securities held by the bank on account of special investments, and the security to be given by officers of the bank in respect of the amount received on such account;

(*i.*) The power to make special investments shall not be exercised by any bank unless the bank has exercised the power before the first day of June one thousand eight hundred and ninety-one.

Amendment of law as to limit of deposit and interest on deposit.

11. Whereas it is not lawful for the trustees of a savings bank or for the Postmaster-General to receive from any depositor any sum which shall make the sum to which such depositor shall be entitled exceed the sum of one hundred and fifty pounds in the whole exclusive of interest, but the sum standing in the name of any depositor may be increased by accumulations of interest to any sum not exceeding two hundred pounds in the whole, and difficulties have arisen in the due apportionment between principal and interest of sums standing to the credit of depositors in excess of one hundred and fifty pounds; be it therefore enacted as follows:

(1.) A savings bank shall not receive any deposit which makes the sum standing in the name of any depositor in the bank exceed two hundred pounds.

(2.) So much of any enactment as prohibits the receipt from any depositor of any sum of money which makes the sum to which he is entitled exceed the sum of one hundred and fifty pounds in the whole, exclusive of interest, is hereby repealed.

(3.) Interest shall be allowed in full on the sum standing in the name of a depositor in a savings bank so long as it does not exceed two hundred pounds, but whenever the sum standing in the name of any depositor in any savings bank exceeds that amount, interest shall not be allowed on any sum in excess of two hundred pounds.

(4.) Notwithstanding any restriction on the amount to be deposited in any one year, a depositor in a savings bank may, not more than once in any savings bank year, deposit money to replace money previously withdrawn in one entire sum during that year. For the purposes of this provision the expression "savings bank year" means, with reference to trustee savings banks, the year ending the twentieth day of November, and with reference to the Post Office savings banks, the year ending the thirty-first day of December.

Forfeiture of illegal deposits.

12.—(1.) If any person at any time has a deposit in more than one savings bank in the United Kingdom, or has deposits standing to the credit of more than one account in the same savings bank in the United Kingdom, he shall be liable to forfeit any amount illegally deposited, either as to the whole thereof, or to such extent as in the case of deposits to the credit of more than one account in a post office savings bank, the Postmaster General, and in any other case the National Debt Commissioners may think just in the circumstances of the case, and any money so forfeited shall be paid to the National Debt Commissioners and applied to the reduction of the National Debt.

Provided as follows :—

(*a.*) Where a trustee savings bank has suspended payment, nothing in the Trustee Savings Banks Act, 1863, or in this Act, shall prevent a depositor in that bank from subsequently opening or having an account in any other savings bank ;

(*b.*) Nothing in this section or in any other enactment relating to savings banks shall prevent a friendly society from having deposits in more than one savings bank in the United Kingdom, or from having deposits standing to the credit of more than one account in the same savings bank in the United Kingdom and a person making a deposit in a savings bank on behalf of a friendly society shall not be bound to make a declaration to the effect that the society is not entitled to any benefit from deposits in that or any other savings bank.

(2.) Regulations made by the Treasury and the Postmaster General respectively, under the Savings Banks Act, 1887, may provide for the addition of one or more names to an account already in a savings bank, and may provide that the addition of such names shall not be deemed to be the opening of a new account in the bank.

Provision as to priority of debts due to trustee savings banks by their officers.

13. Nothing in section forty of the Bankruptcy Act, 1883, shall affect the priority given by section fourteen of the Trustee Savings Banks Act, 1863, to the debts mentioned in that section.

Amendment of 43 & 44 Vict. c. 36. s. 1.

14. Section one of the Savings Banks Act, 1880, shall so far as it relates to any valuation to be made thereunder after the commencement of this Act, have effect as if for the words "three and "a quarter per cent. per annum" (wherever they occur therein) were substituted the words "two and three quarters per cent. per "annum, or such other rate of interest as may from time to time "be paid by the National Debt Commissioners under authority of "Parliament to the trustees of trustee savings banks."

Amendment of 37 & 38 Vict. c. 73. s. 3, and 40 & 41 Vict. c. 13. s. 17.

15. Section three of the Post Office Savings Banks Act, 1874, and section seventeen of the Customs Inland Revenue and Savings Banks Act, 1877, (which relate to the presentation of accounts to Parliament) shall have effect as if the last day of July were therein substituted for the last day of April.

Definitions.

16. In this Act—

The expression "trustee savings bank" means a bank certified under the Trustee Savings Banks Act, 1863.

The expression "savings bank" (without the word trustee) includes both a trustee savings bank and a post office savings bank.

The expression "friendly society" means a friendly society legally registered in the manner required by the Acts for the time being in force relating to friendly societies and includes a registered branch.

Extent of Act.

17. This Act shall extend to the Channel Islands and the Isle of Man, and the Royal Courts of the Channel Islands shall register the same.

Repeal.

18. The enactments specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

Short titles.

19.—(1.) This Act may be cited as the Savings Banks Act, 1891.

(2.) The Trustee Savings Banks Acts, 1863 and 1887, and so much of the Savings Banks Act, 1887, as relates to trustee savings banks, and this Act, may be cited collectively as the Trustee Savings Banks Acts 1863 to 1891.

(3.) The Post Office Savings Banks Acts, 1861 to 1887, and so much of this Act as relates to the Post Office Savings Bank, may be cited collectively as the Post Office Savings Bank Acts, 1861 to 1891.

SCHEDULES.

FIRST SCHEDULE.

Section 2.

HON. E. LYULPH STANLEY.
LORD FRANCIS HERVEY, M.P.
SIR ALBERT ROLLIT, M.P.
MR. JOHN ELLIS, M.P.

MR. T. C. WRIGHT, of Lincoln's Inn, Barrister-at-Law, a trustee of the Bloomsbury Trustee Savings Bank.
MR. JOHN URE, Lord Dean of Guild, Glasgow, a trustee of the Glasgow Trustee Savings Bank.
MR. HENRY COURT, late Assistant Comptroller of the National Debt Office.

Section 18.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
9 Geo. 4. c. 92.	An Act to consolidate and amend the laws relating to savings banks.	Section thirty-five, from "nor to receive" to the end of the section.
26 & 27 Vict. c. 14.	An Act to amend the law relating to Post Office Savings Banks.	In section three the words "and shall have paid off three fourths of their depositors' amount either in money or by transfer to a post office savings bank."
26 & 27 Vict. c. 87.	The Trustee Savings Banks Act, 1863.	Section thirty-eight, from "and in case any such declaration" to "money placed to the said account." Section thirty-nine, from "nor to receive" to "interest as aforesaid," and from "always that except" to "provided also."
50 & 51 Vict. c. 40.	The Savings Banks Act, 1887.	Section one, from "and shall provide for the forfeiture" to the end of the section.

CHAPTER 22.

An Act to enable Urban Authorities to provide and maintain Museums and Gymnasiums.

[3rd July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Museums and Gymnasiums Act, 1891.

Extent of Act.

2.—(1.) This Act shall extend to any district where the same is adopted as herein-after provided, but only so far as the adoption extends.

(2.) This Act shall not extend to Scotland or the administrative county of London.

Adoption of Act.

3.—(1.) This Act may be adopted by any urban authority for their district either wholly or so far as it relates to museums only or to gymnasiums only.

(2.) The adoption shall be by a resolution passed at a meeting of the urban authority, and one month at least before such meeting special notice of the meeting and of the intention to propose such resolution shall be given to every member of the authority, and the notice shall be deemed to have been duly given to a member of it, if it is either—

(*a.*) Given in the mode in which notices to attend meetings of the authority are usually given; or

(*b.*) Where there is no such mode, then signed by the clerk of the authority, and delivered to the member or left at his usual or last known place of abode in England, or forwarded by post in a prepaid letter, addressed to the member at his usual or last known place of abode in England.

(3.) Such resolution shall be published by advertisement in some one or more newspapers circulating within the district of the authority, and by causing notice thereof to be affixed to the principal doors of every church and chapel in the place to which notices are usually fixed, and otherwise in such manner as the authority think sufficient for giving notice thereof to all persons interested, and shall come into operation at a time not less than one month after the first publication of the advertisement of the resolution as the authority may by the resolution fix, and upon its coming into operation the Act shall extend to that district.

(4.) A copy of the resolution shall be sent to the Local Government Board.

(5.) A copy of the advertisement shall be conclusive evidence of the resolution having been passed, unless the contrary be shown; and no objection to the effect of the resolution, on the ground that notice of the intention to propose the same was not duly given, or on the ground that the resolution was not sufficiently published, shall be made after three months from the date of the first advertisement.

Power to provide museum and gymnasium.

4. An urban authority may provide and maintain museums for the reception of local antiquities or other objects of interest, and gymnasiums with all the apparatus ordinarily used therewith, and may erect any buildings, and generally do all things necessary for the provision and maintenance of such museums and gymnasiums.

Admission to museum.

5. A museum provided under this Act shall be open to the public not less than three days in every week free of charge, but subject thereto an urban authority may admit any person or class of persons thereto as they think fit, and may charge fees for such admission, or may grant the use of the same or of any room therein, either gratuitously or for payment, to any person for any lecture or exhibition, or for any purpose of education or instruction, and the admission to the museum or room the use of which is so granted may be either with or without payment as directed

by the urban authority, or with the consent of the urban authority by the person to whom the use of the museum or room is granted.

Admission to gymnasium.

6.—(1.) A gymnasium provided under this Act shall be open to the public free of charge for not less than two hours a day during five days in every week.

(2.) Subject thereto the urban authority—

(*a.*) may regulate the admission of the public to such gymnasium, either by classes or otherwise as they think fit, and may charge fees for such admission; and

(*b.*) may, for not more than two hours in each day, grant the exclusive use thereof to any person or body of persons for the purpose of gymnastic exercises, for such payment and on such terms and conditions as they think fit.

(3.) An urban authority may (for not more than twenty-four days in one year nor more than six consecutive days) close the gymnasium for use as a gymnasium, and grant the use of the same gratuitously or for payment to any person for the purpose of any lecture, exhibition, public meeting, entertainment, or other public purpose, and the admission on such days shall be either with or without payment as directed by the urban authority, or with the consent of the urban authority by the person to whom the use of the same is granted.

Regulations and byelaws.

7.—(1.) An urban authority may make regulations for all or any of the following matters, namely:—

(*a.*) For fixing the days of the week or hours of the day, as the case may be, during which the museum or gymnasium is to be open to the public free of charge:

(*b.*) For giving special facilities to students for the use of the museum:

(*c.*) For fixing the fees to be paid for the admission of persons to the museum and for the use thereof either by students or in any other special manner:

(*d.*) For regulating the use of the gymnasium either by classes or otherwise, and fixing the scale of fees to be paid for such use:

(*e.*) For prescribing conditions on which the exclusive use of the museum, or any room therein, or of the gymnasium is granted in any case:

(*f.*) For determining the duties of the instructor, officers, and servants of the urban authority in connexion with a museum or gymnasium:

(*g.*) Generally for regulating and managing the museum or gymnasium.

(2.) The urban authority may make byelaws for regulating the conduct of persons admitted to the museum or gymnasium, and may by any such byelaw provide for the removal from the museum or gymnasium of any person infringing any such byelaw by any officer of the urban authority or by any constable.

All the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act, 1875, and any enactment amending or extending those sections, shall apply to all byelaws from time to time made by an urban authority under the powers of this Act.

38 & 39 Vict. c. 55.

Closing of museum or gymnasium for repairs.

8. An urban authority may at such time as they think fit close a museum or gymnasium provided by them for repairs and shall give a fortnight's notice of their intention to close the same by affixing a notice to that effect on the door of the museum or gymnasium, as the case may be, or otherwise as they think fit.

Appointment of officers and servants for museum and gymnasium.

9. An urban authority may appoint and pay such officers and servants as they think fit for the purpose of a museum or gymnasium provided under this Act, and may employ and pay instructors in connexion with a gymnasium.

Expenses and borrowing.

10.—(1.) The fees and other money received by an urban authority under this Act shall be applied in defraying the expenses of the museum or gymnasium in respect of which they are received.

(2.) So far as such expenses are not so defrayed, they shall be defrayed as part of the general expenses of the execution by the urban authority of the Public Health Acts.

(3.) An urban authority may borrow for the purposes of this Act in like manner and subject to the like conditions as for the purpose of defraying the said general expenses, and for that purpose sections two hundred and thirty-three, two hundred and thirty-four, and two hundred and thirty-six to two hundred and thirty-nine, both inclusive, of the Public Health Act, 1875 (relating to borrowing), and sections two hundred and forty-two and two hundred and forty-three of the same Act (relating to loans by the Public Works Loan Commissioners), as amended by section two of the Public Works Loans Act, 1879, shall apply.

38 & 39 Vict. c. 55.

42 & 43 Vict. c. 77.

(4.) Separate accounts shall be kept of the receipts and expenditure of an urban authority in connexion with any museum or gymnasium established under this Act, and such accounts shall be audited in like manner and with the like power to the officer auditing the same, and with the like incidents and consequences as the accounts of the urban authority are for the time being required to be audited by law.

(5.) The amount expended by an urban authority under this Act shall not in any year exceed the amount produced by a rate of a halfpenny in the pound for a museum, and the like amount for a gymnasium established under this Act.

Acquisition of land.

11.—(1.) Land for the purposes of this Act may be acquired by an urban authority in like manner as if those purposes were purposes of the Public Health Act, 1875, and sections one hundred and seventy-five to one hundred and seventy-eight, both inclusive, of that Act (relating to the purchase of land) shall apply accordingly, but no land shall be so acquired otherwise than by agreement.

(2.) An urban authority may, with the consent of the Local Government Board, appropriate, for the purposes of this Act, any land which may be for the time being vested in them, or at their disposal.

Power to sell museum or gymnasium in certain cases.

12.—(1.) Where it appears to an urban authority that a museum or gymnasium which has been established under this Act for seven years or upwards is unnecessary or too expensive, they may, with the consent of the Local Government Board, sell the same for the

best price that can reasonably be obtained for the same, and shall convey the same accordingly.

(2.) Any moneys arising from such sale shall be applied toward the repayment of any money borrowed for the purpose of the museum or gymnasium sold, and, so far as not required for that purpose, shall be applied to any purpose to which capital moneys are properly applicable, and which may be approved by the Local Government Board.

Powers of Act cumulative.

13. All powers given to an urban authority under this Act shall be deemed to be in addition to and not in derogation of any other powers conferred by Act of Parliament, law, or custom, and such other powers may be exercised in the same manner as if this Act had not been passed.

Interpretation.

14. In this Act the expression "urban authority" means an urban sanitary authority under the Public Health Acts, and the expression "district" means an urban sanitary district under those Acts.

Application of Act to Ireland

15. In the application of this Act to Ireland the following provisions shall have effect:—

41 & 42 Vict. c. 52.

(1.) The expression "Public Health Acts" shall include the Public Health (Ireland) Act, 1878, and the Acts amending the same;

(2.) The Public Health (Ireland) Act, 1878, shall be substituted for the Public Health Act, 1875, and in particular a reference to sections one hundred and seventy-five to one hundred and seventy-eight of the Public Health Act, 1875, shall be taken to be a reference to sections two hundred and two to two hundred and four of the Public Health (Ireland) Act, 1878, and a reference to sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act, 1875, shall be taken to be a reference to sections two hundred and nineteen to two hundred and twenty-three of the Public Health (Ireland) Act, 1878, and a reference to sections two hundred and thirty-three, two hundred and thirty-four, and two hundred and thirty-six to two hundred and thirty-nine, both inclusive, of the Public Health Act, 1875, shall be taken to be a reference to sections two hundred and thirty-seven, two hundred and thirty-eight, and two hundred and forty to two hundred and forty-three, both inclusive, respectively, of the Public Health (Ireland) Act, 1878, and a reference to sections two hundred and forty-two and two hundred and forty-three of the Public Health Act, 1875, shall be taken to be a reference to section two hundred and forty-six of the Public Health (Ireland) Act, 1878;

(3.) The Local Government Board for Ireland shall be substituted for the Local Government Board;

(4.) A reference to a place of abode in England shall be construed to be a reference to a place of abode in Ireland.

CHAPTER 23.

An Act to assist the Managers of Reformatory and Industrial Schools in advantageously launching into useful Careers the Children under their Charge.

[3rd July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to apprentice or dispose of child.

1. If any youthful offender or child detained in or placed out on licence from a certified reformatory or industrial school conducts himself well, the managers of the school may, with his own consent, apprentice him to, or dispose of him in, any trade, calling, or service, or by emigration, notwithstanding that his period of detention has not expired, and such apprenticing or disposition shall be as valid as if the managers were his parents.

Provided that where he is to be disposed of by emigration, and in any case unless he has been detained for twelve months, the consent of the Secretary of State shall also be required for the exercise of any power under this section.

Short title and extent of Act.

2. This Act may be cited as the Reformatory and Industrial Schools Act, 1891, and it shall not apply to Ireland.

CHAPTER 24.

An Act to amend certain provisions of the Law with respect to Money charged on or payable out of the Consolidated Fund, and with respect to Public Accounts.

[3rd July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Abolition of office of Receiver-General of Inland Revenue and provision as to Inland Revenue moneys.

1.—(1.) The office of Receiver-General of Inland Revenue is hereby abolished, and the Act mentioned in the schedule to this Act is hereby repealed to the extent mentioned in the third column of that schedule.

(2.) All money and securities for money from time to time collected or received in Great Britain for or on account of Inland Revenue shall (except as to sums legally paid thereout) be paid or remitted to the Bank of England in such manner and in accordance with such regulations as the Commissioners of Inland Revenue, with the approval of the Treasury, may direct, and shall be placed to an account in the books of the bank, entitled "The General Account of the Commissioners of Inland Revenue," and all money

and securities for money from time to time collected or received in Ireland for or on account of Inland Revenue (except as aforesaid) shall be paid into the Bank of Ireland to the account of Her Majesty's exchequer, or as the Treasury direct.

(3.) Payments or transfers from the said account at the Bank of England to the account of the Exchequer, or to the account of any other public department of the State, and other payments necessary to be made thereout, shall be made, and the accounts of the said Commissioners with the Bank of England shall be kept in such manner and under such regulations as the Treasury prescribe or approve.

(4.) Where by any Act heretofore passed, or any bond or other instrument now in force, any payment is required or secured to be made to the Receiver-General of Inland Revenue, or to his account, the Act, bond, or instrument, shall be construed as requiring or securing the payment to be made to the account of the said Commissioners, or to a collector of Inland Revenue, or other person authorised to receive money on behalf of the said Commissioners.

Issues from Exchequer and appropriations in aid.

2. Whereas it is expedient to give statutory authority to the practice with respect to issues from the Exchequer and appropriations in aid; be it therefore enacted that—

(1.) Where an Act authorises any sum to be issued out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland towards making good the supply granted to Her Majesty for the service of any year, every sum issued in pursuance of that Act shall be applied towards making good the supply so granted at the time of such issue.

(2.) All money directed by or in pursuance of any Act (whether passed before or after this Act), or by the Treasury, to be applied as an appropriation in aid of money provided by Parliament for any purpose shall be deemed to be money provided by Parliament for that purpose, and shall, without being paid into the Exchequer, be applied, audited, and dealt with accordingly, and so far as it is not in fact so applied shall be paid into the Exchequer.

(3.) Where any fee, penalty, proceeds of sale, or other money of the nature of an extra receipt is, by virtue of this Act, or of any other Act (whether passed before or after this Act), or otherwise, payable into the Exchequer, the Treasury may by a minute to be laid before Parliament direct that the whole or any specified part thereof shall be applied as an appropriation in aid of money provided by Parliament for the service mentioned in the minute.

Tables for conversion of perpetual into terminable annuities. 50 & 51 Vict. c. 16. 46 & 47 Vict. c. 54.

3. Whereas the terminable annuities created under section four of the National Debt and Local Loans Act, 1887, have to be periodically adjusted in accordance with tables framed under section four of the National Debt Act, 1883, and those tables were framed on the basis of perpetual annuities, bearing interest at the rate of three per cent. per annum, and it is expedient that they be modified; be it therefore enacted that—

The National Debt Commissioners shall cause a new table on the basis of the rate of interest now payable on Two and three-quarters per cent. Consolidated Stock to be framed and certified under the

hands of the Comptroller-General or Assistant Comptroller, and of the Actuary of the National Debt Office, and the table so framed shall be substituted for the table framed and certified in pursuance of section four of the National Debt Act, 1883, and shall have effect as from the thirty-first day of March, one thousand eight hundred and ninety-one.

Commutation of annuities for railways under 52 & 53 Vict. c. 66., 53 & 54 Vict. c. 52., and 54 & 55 Vict. c. 2.

4. Whereas by the Light Railways (Ireland) Act, 1889, and the Acts amending the same, the Treasury are authorised to pay for the purpose of light and other railways in Ireland annual sums not exceeding in the aggregate twenty thousand pounds a year in addition to the residue, if any, for the time being, remaining unappropriated of the sum of forty thousand pounds a year, mentioned in the ninth section of the Tramways and Public Companies (Ireland) Act, 1883, and are also authorised to grant for the same purposes any capital sum or sums not exceeding in the aggregate six hundred thousand pounds, subject to a provision that in the event of any capital sum being so granted a proportional reduction shall be made in the amount of the annual sums so paid;

And whereas it is expedient to make arrangements for commuting the said annual sums; be it therefore enacted as follows:

(1.) The amount of the aid which may be given under the said Acts by a capital sum or sums may be any amount not exceeding in the aggregate such sum as with interest at the rate of three per cent. per annum would produce a sum of twenty thousand pounds a year, in addition to the residue, if any, for the time being remaining unappropriated of the said sum of forty thousand pounds a year.

(2.) Where any part of the said capital sum or sums is required to be granted, and is not supplied out of money provided by Parliament, the National Debt Commissioners may, out of any funds for the time being in their hands on account of savings banks, lend to the Treasury, and the Treasury may borrow from the National Debt Commissioners, such money as may be required for the purpose of the grant, on such terms as to interest, sinking fund, and period of repayment (not exceeding ten years from the date of the loan) as may be agreed on between the National Debt Commissioners and the Treasury.

(3.) The sums so lent by the National Debt Commissioners shall be repaid out of the moneys provided by Parliament for the purpose, and if and so far as those moneys are insufficient shall be charged on and payable out of the Consolidated Fund or the growing produce thereof.

Abolition of salary to preacher of Rolls Chapel.

5. The annual sum of two hundred and twenty-five pounds which, by section thirteen of the Act of the session held in the seventh year of King William the Fourth and the first year of Her present Majesty, intituled "An Act to vest the Rolls Estate in Her "Majesty and to provide for the future payment of the salary of "the Master of the Rolls and the expenses of the Rolls Chapel," was made payable out of the Consolidated Fund to the preacher for the time being of the Rolls Chapel, shall from and after the

occurrence of the next vacancy in that preachership cease to be paid, and that section shall as from the date aforesaid be repealed.

Short title.

6. This Act may be cited as the Public Accounts and Charges Act, 1891.

SCHEDULE.

Section 1.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
53 & 54 Vict. c. 21.	The Inland Revenue Regulation Act, 1890.	In section six the words "or "to the office of Receiver "General." Sections sixteen, seventeen, eighteen, nineteen, and twenty. In section thirty-nine the words '"Receiver General" means '"Receiver General of Inland '"Revenue."'

CHAPTER 25.

An Act to grant certain Duties of Customs and Inland Revenue and to amend the Law relating to Customs and Inland Revenue. [3rd July 1891.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

CUSTOMS.

Import duties on tea.

1. The duties of Customs now chargeable upon tea shall continue to be levied and charged, on and after the first day of August one thousand eight hundred and ninety-one until the first day of August one thousand eight hundred and ninety-two, on the importation thereof into Great Britain or Ireland (that is to say):—

Tea, the pound - - - Fourpence.

Inland Revenue.

Grant of duties of income tax.

2.—(1.) There shall be charged, collected, and paid for the year which commenced on the sixth day of April one thousand eight hundred and ninety-one, in respect of all property, profits, and gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following duties of income tax (that is to say):—

For every twenty shillings of the annual value or amount of property, profits, and gains chargeable under Schedules (A.), (C.), (D.), or (E.) of the said Act, the duty of sixpence.

And for every twenty shillings of the annual value of the occupation of lands, tenements, hereditaments, and heritages chargeable under Schedule (B.) of the said Act—

In England, the duty of threepence.

In Scotland and Ireland respectively, the duty of twopence farthing.

(2.) All such provisions contained in any Act relating to income tax as were in force on the fifth day of April one thousand eight hundred and ninety-one, shall have full force and effect with respect to the duties of income tax hereby granted so far as the same are consistent with this Act.

Assessment of income tax under Schedules (A.) and (B.) and of the inhabited house duties for the year 1891–92. 32 & 33 Vict. c. 67.

3.—(1.) The sum charged as the annual value of any property elsewhere than in the metropolis as defined by the Valuation (Metropolis) Act, 1869, in the assessment of income tax thereon for the year which commenced on the sixth day of April one thousand eight hundred and ninety, shall be taken as the annual value of such property for the assessment and charge thereon of the duties of income tax hereby granted under Schedules (A.) and (B.).

(2.) The sum charged as the annual value of every inhabited house elsewhere than in the said metropolis made thereon for the year which commenced as respects England on the sixth day of April one thousand eight hundred and ninety, and as respects Scotland on the twenty-fifth day of May one thousand eight hundred and ninety, shall be taken as the annual value of the inhabited house for the assessment and charge thereon of the duties on inhabited houses as respects England for the year which commenced on the sixth day of April one thousand eight hundred and ninety-one, and as respects Scotland for the year commencing on the twenty-fifth day of May one thousand eight hundred and ninety-one.

(3.) The inspectors or surveyors of taxes shall be the assessors of the said duties of income tax under Schedules (A.) and (B.), and of the said duties on inhabited houses.

Amendment of the law as to inhabited house duty on houses for dwellings of small annual value.

4.—(1.) Sub-section two of section twenty-six of the Customs and Inland Revenue Act, 1890, is hereby amended by the substitution of the words "where the annual value of each dwelling shall not amount to twenty pounds," for the words "for persons at rents "not exceeding for each dwelling the rate of seven shillings and "sixpence a week, and occupied only by persons paying such "rents."

(2.) In the case of any house originally built, or adapted by additions or alterations, and used, so far as the same is used as a dwelling-house, for the sole purpose of providing separate dwellings at an annual value not exceeding forty pounds for each dwelling, the Commissioners acting in the execution of the Acts relating to inhabited house duties shall, upon production of such a certificate as is mentioned in the said sub-section, grant relief by confining the assessment to the annual value of the house exclusive of every dwelling therein of an annual value below twenty pounds (if any), and by reducing the rate of duty to threepence.

(3.) The provisions in the said sub-section in relation to a certificate shall apply to a certificate to be produced under this section.

SHORT TITLE.

Short title.

5. This Act may be cited as the Customs and Inland Revenue Act, 1891.

CHAPTER 26.

An Act to make provision for paying off the British portion of the Russian Dutch Loan. [3rd July 1891.]

WHEREAS under Conventions made and signed at London on the nineteenth day of May one thousand eight hundred and fifteen and the sixteenth day of November one thousand eight hundred and thirty-one, and confirmed by the Acts specified in the Schedule to this Act, Her Majesty's Government is liable and bound to the Government of His Imperial Majesty the Emperor of all the Russias to pay annual interest at the rate of five per cent., and an annual sum for a sinking fund of not less than one and not more than three per cent. in respect of a portion amounting to twenty-five millions of Dutch florins (in this Act referred to as the British portion) of the Russian loan made in Holland through the intervention of the House of Hope and Company, and the payment of the said interest and sums for a sinking fund is, by the said Acts, charged on the Consolidated Fund of the United Kingdom:

And whereas by means of the sinking fund part of the British portion of the loan has been repaid, and on the thirty-first of December one thousand eight hundred and ninety the residue of the British portion of the loan which remained outstanding amounted to six millions two hundred and fifty thousand Dutch florins, equivalent at the then rate of exchange to about five hundred and sixteen thousand five hundred and twenty-nine pounds:

And whereas His said Imperial Majesty is desirous of repaying the said loan, and it is expedient that provision be made for payment to him of the residue of the British portion of the loan.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Power to borrow for payment off of Russian Dutch loan of 1815.

1.—(1.) The Treasury may borrow from the National Debt Commissioners such money as may be required for the payment of the residue of the British portion of the said loan, on such terms as to interest, sinking fund, and period of repayment (not exceeding fifteen years from the date of the borrowing) as may be agreed on between the National Debt Commissioners and the Treasury, and the amount so borrowed shall be applied for the said payment.

(2.) The amount required for repayment with interest of the money so borrowed from the National Debt Commissioners shall be charged on and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

(3.) The Acts mentioned in the Schedule to this Act are hereby repealed as from the date of the payment of the residue of the British portion of the said loan.

Short title.

2. This Act may be cited as the Russian Dutch Loan Act, 1891.

SCHEDULE.

ACTS REPEALED.

Session and Chapter.	Title.
55 Geo. 3. c. 115. - -	An Act to carry into effect a Convention made between His Majesty and the King of the Netherlands and the Emperor of all the Russias.
2 & 3 Will. 4. c. 81. - -	An Act to enable His Majesty to carry into effect a Convention made between His said Majesty and the Emperor of all the Russias.

CHAPTER 27.

An Act to apply the sum of fifteen million nine hundred and thirty thousand and two pounds out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and ninety-two. [3rd July 1891.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament,

have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 15,930,002*l.* out of the Consolidated Fund for the service of the year ending 31st March 1892.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and ninety-two the sum of fifteen million nine hundred and thirty thousand and two pounds.

Power to the Treasury to borrow.

2. The Commissioners of the Treasury may borrow from time to time on the credit of the said sum any sum or sums not exceeding in the whole the sum of fifteen million nine hundred and thirty thousand and two pounds and shall repay the moneys so borrowed with interest not exceeding five pounds per centum per annum out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Short title.

3. This Act may be cited as the Consolidated Fund (No. 2) Act, 1891.

CHAPTER 28.

An Act to amend the Law respecting the Branding of Herrings on the Coast of Northumberland.

[3rd July 1891.]

WHEREAS it has for many years been the practice of the Scotch Fishery Board to brand barrels on the coast of Northumberland:

And whereas in consequence of recent legislation some doubt has been cast upon the legality of their continuing to do so:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Branding of Herrings (Northumberland) Act, 1891.

Branding on Northumberland coast.

2. The powers of the Scotch Fishery Board and of their officers with respect to the branding or marking of barrels or half barrels under any Act, and of branding or marking any measure specified

in any Act, shall extend to the administrative county of Northumberland and to the sea adjoining the same, and within the exclusive fishery limits of the British Islands, and the provisions of any Act in regard to the exercise of those powers and the enforcement of any penalties thereunder shall apply accordingly.

CHAPTER 29.

An Act to amend the Law of Scotland as regards Presumption of Life. [3rd July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Presumption of Life Limitation (Scotland) Act, 1891.

Repeal. 44 & 45 Vict. c. 47.

2. The Presumption of Life Limitation (Scotland) Act, 1881, is hereby repealed, but this repeal shall not affect the proceedings in any petition under the repealed Act presented before the passing of this Act, or the rights of parties thereunder.

Presumption of life of persons disappeared.

3. When any person has disappeared and has not been heard of for seven years or upwards, the Court, on the petition of any person entitled to succeed to any estate on the death of such person, or entitled to any estate the transmission of which to the petitioner depends on the death of such person, or the fiar of any estate burdened with a life-rent in favour of such person may, after such procedure and inquiry by advertisement or otherwise as it may direct, find that such person has disappeared, and find what was the date on which he was last known to be alive, and find on the facts proved or admitted that he died at some specified date within seven years after the date on which he was last known to be alive, and where there is no sufficient evidence that he died at any definite date, find that he shall be presumed to have died exactly seven years after the date on which he was last known to be alive; and it shall thereafter be competent to the person who has presented the petition, and to any other person entitled to succeed to any estate on the death of the person who has disappeared, or entitled to any estate the transmission of which, or the disburdening of which from a life-rent, depends on the death of the person who has disappeared, to make up titles to and to enter into possession of and to sell or dispose of or to burden such estate as if the said person had actually died at the date on which the Court has found that he is proved or presumed to have died: Provided always, that nothing herein contained shall entitle any person to any part of the intestate moveable succession of a person who has disappeared if the latter was not a domiciled Scotsman at the date at which he is proved or presumed to have died.

Power to dispense with consent of absent person to sale of property held pro indiviso.

4. When one of two or more pro indiviso proprietors of heritable estate in Scotland has disappeared and has not been heard of for seven years or upwards, and the other pro indiviso proprietor or proprietors shall desire to sell the said estate, it shall be competent to such other pro indiviso proprietor or proprietors to present a petition to the Court setting forth the said facts, and after such procedure and inquiry, by advertisement or otherwise, as the Court may direct, the Court may grant authority to the petitioner or petitioners to sell the said estate by public roup or private bargain, as the Court may think fit, and the title granted by the said pro indiviso proprietor or proprietors under such authority shall be as good and valid to the purchaser as if the absent person had been a party to the sale and conveyance, and in the case of such a sale the share of the price belonging to the absent person shall be paid into bank for behoof of such absent person and shall be deemed to be heritable estate of the said absent person, and, as such, shall be subject to the provisions of this Act.

Judgments under repealed Act to have effect as under this Act.

5. All judgments granting the prayer of applications presented under sections one, four, or five of the repealed Act shall have the same force and effect in regard to the persons whose disappearance formed the subject of such applications and the estate heritable and moveable affected thereby as if they had been judgments obtained in terms of this Act finding that such persons are proved or presumed to be dead as aforesaid.

Claim of absent persons barred after thirteen years.

6. Notwithstanding a judgment of the Court under this or the repealed Act, the person who has disappeared, or any person deriving right from him to any estate preferably to the person who has become entitled thereto under the provisions of this Act or of the repealed Act, shall be entitled to demand and receive from the person who has become entitled thereto as aforesaid, or from anyone acquiring the same from him by gratuitous title, the said estate or the price or value thereof, if the same shall have been sold or otherwise disposed of, free of any burden which did not affect the said estate at the date of the judgment of the court, subject to a claim for the value of any meliorations which may have been made upon the estate by the person from whom the demand is made, but shall not be entitled to demand or receive any income which may have accrued from the said estate before notice of the demand: Provided always, that any person denuding of the estate or any part thereof under this section shall be bound, but always at the expense of the person or persons receiving the same, to grant such deeds and instruments as may be necessary for the completion of title, but with warrandice from fact and deed only; and shall also be bound, in case the person receiving the same is the person who had disappeared, to free and relieve him of all claim and demand in name of relief, composition, or other casualty which may be competent to the superior of the subjects in respect of or consequent upon the completion of the title of the person who had disappeared; and, in the event of the estate or any part thereof having been burdened with debt since the date of the judgment of the Court, the person denuding

shall be bound to purge such encumbrances at his own expense, and obtain and deliver discharges thereof, unless it is shown that the money borrowed was expended on meliorations for which he is entitled to credit.

Right to recover estate barred after thirteen years.

7. It shall not be competent for the person who has disappeared, or any person deriving right from him, to demand or recover from any person who has become entitled under the provisions of this or the repealed Act any estate the title to which admits of being made up by registration in a public register after the lapse of thirteen years from the date at which a title thereto shall have been so made up under the authority of this or the repealed Act; or any other estate after the lapse of thirteen years from the date at which possession of the said estate, or of the respective items thereof, shall have been obtained under the provisions of this or of the repealed Act.

Amendment of 45 & 46 Vict. c. 53. s. 14.

8. Section fourteen of the Entail (Scotland) Act, 1882, shall be read as if the word "seven" were substituted for the word "fourteen," and as if the words "Presumption of Life Limita-" tion (Scotland) Act, 1891," were substituted for the words "Presumption of Life Limitation (Scotland) Act, 1881."

Several persons may be conjoined in one petition.

9. Any number of persons may be conjoined in one petition relating to the estate of the same absent person; and any person having a limited right to the estate of an absent person may appear as petitioner to the effect of having such right made effectual, subject to the provisions of this Act.

Saving rights of third parties.

10. Nothing in this Act shall be held to prejudice or affect the right of third parties having right to the estate or any part of it preferable to the right of the absent person or to the right of his representatives derived from him.

Act not to apply to policy of assurance.

11. This Act shall not apply to any claim against the insurers under a policy of assurance upon the life of any person who has disappeared, and the person or persons claiming under such policy shall be required in any question with the insurers to prove the death of the person whose life is insured in the same manner as if this Act had not been passed.

Definitions.

12. In this Act—

(1.) The word "Court" means either—

(*a.*) The Court of Session, in which case the procedure shall be by petition addressed to the Court, and brought, in the first instance, before one of the Lords Ordinary, who may direct such intimation and service, and such investigation or inquiry, as he may think fit; and the power of the Lord Ordinary before whom the petition is enrolled may be exercised by the Lord Ordinary on the Bills during vacation; and all such petitions shall, as respects procedure, disposal, and review, be subject to the same rules and regulations as are enacted with respect to petitions coming before the Junior Lord Ordinary in virtue of the Act twentieth and twenty-first Victoria, chapter fifty-six, and any Act amending the same; or

(*b.*) In cases where the total amount or value of the estate in Scotland, the right to which depends upon the death of the absent person, does not exceed five hundred pounds, the Sheriff Court of the county in which the said estate or the greater part thereof is situate, in which case the sheriff shall direct such intimation and service and such investigation or inquiry as he may think fit, and the procedure in so far as concerns appeal to and review by a higher court shall be in all respects the same as in an action in the ordinary sheriff court: Provided that the value of heritable estate, for the purpose of this section, shall be ascertained in terms of the provisions of the Act fortieth and forty-first Victoria, chapter fifty:

(2.) Unless it otherwise appear from the context, the word "estate" shall mean and include all property heritable and moveable, real and personal, and any right or interest therein of any description.

CHAPTER 30.

An Act to amend the Law relating to Law Agents and Notaries Public practising in Scotland.

[21st July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation of terms.

1. The following words and expressions, when used in this Act, shall have the meanings hereby assigned to them; that is to say,—

"Law agents" shall include writers to the signet, solicitors in the supreme courts, procurators in any sheriff court, and every person entitled to practise as an agent in a court of law in Scotland:

"Notary public" shall mean any notary public duly admitted in Scotland.

Prosecution of unqualified persons practising as law agents or notary public.

2. Any person, being neither a law agent nor a notary public, who, either by himself or in conjunction with others, wilfully and falsely pretends to be, or takes or uses any name, title, addition, or description implying that he is, duly qualified to act either as a law agent or as a notary public, or that he is recognised by law as so qualified, shall be guilty of an offence under this Act, and shall be liable to a penalty not exceeding the sum of ten pounds for the first offence, together with the costs of prosecution and conviction; and any such person who shall be guilty of a second or subsequent offence or offences under this section shall be liable to a penalty not exceeding twenty pounds, with the alternative, in case of failure in

payment of such penalty, of imprisonment for a period not exceeding one month for each such subsequent offence, in addition to the costs of prosecution and conviction, as aforesaid.

Unqualified persons not entitled to recover costs.

3. No costs, fee, reward, or disbursement on account of or in relation to any act or proceeding done or taken by any person who acts as a law agent or as a notary public without being duly qualified so to act, or who, not being so qualified, gives legal advice, or frames or draws any deed, shall be recoverable in any action, suit, or matter by any person or persons whomsoever.

Prosecution of offences.

4. Any offence under this Act may be prosecuted before the sheriff, either of the county in which the offence is committed or of the county in which the offender resides, by the Procurator-Fiscal, or by any incorporated society of law agents, or by any law agent or notary public, in manner provided by the Summary Jurisdiction (Scotland) Acts, 1864 and 1881.

Amendment of section 8 of 36 & 37 Vict. c. 63.

5. The eighth section of the Act of the thirty-sixth and thirty-seventh years of the reign of Her present Majesty, chapter sixty-three, intituled "An Act to amend the Law relating to Law Agents practising in Scotland," is hereby repealed, and the following words shall be substituted therefor and shall be read and construed as part of the recited Act, viz.: "For the purpose of facilitating the inquiry "touching the due service under indenture, as aforesaid, and the "fitness and capacity of any person to act as a law agent, the "judges of the court (or any seven or more of them, of whom the "Lord President and the lord justice clerk shall be two) shall from "time to time nominate and appoint fit and proper persons to be "examiners for the purposes of this Act; and it shall be lawful for "the said judges from time to time to make rules prescribing a "curriculum of general and legal study, including attendance at "university or other classes, and fixing whether and to what "extent university degrees and other certificates shall be accepted "as proof of fitness and capacity without farther examination or "curriculum, and also the subjects of examination in law and "general knowledge, and for conducting such examinations, and "also for entrance examinations of apprentices and intermediate "examinations, and the date or dates at which such rules shall "come into operation: Provided always, that the Lord President "and lord justice clerk may, when under special circumstances "they see fit so to do, exempt any person from compliance with "the rules for the time being in force with reference to a curriculum "of general and legal study."

Payment of law agents costs out of property recovered or preserved.

6. In every case in which a law agent shall be employed to pursue or defend any action or proceeding in any court, it shall be lawful for the court or judge before whom any such action or proceeding has been heard or shall be depending to declare such law agent entitled to a charge upon and against, and a right to payment out of, the property, of whatsoever nature, tenure, or kind the same may be, which shall have been recovered or preserved on behalf of his client by such law agent in such action or proceeding,

for the taxed expenses of or in reference to such action or proceeding, and it shall be lawful for such court or judge to make such order or orders for taxation of, and for raising and payment of, such expenses out of the said property as to such court or judge shall appear just and proper; and all acts done or deeds granted by the client after the date of the declaration, except acts or deeds in favour of a bonâ fide purchaser, shall be absolutely void and of no effect as against such charge or right.

Short title.

7. This Act may be cited as the Law Agents and Notaries Public (Scotland) Act, 1891.

CHAPTER 31.

An Act to enable Her Majesty in Council to carry into effect Conventions which may be made with Foreign Countries respecting Ships engaged in Postal Service.

[21st July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Act by Order in Council.

1.—(1.) Where Her Majesty the Queen has made a Convention with a Foreign State respecting the postal service between such Foreign State and the United Kingdom, or respecting the privileges of mail ships, that is to say, ships engaged in any postal service of such Foreign State or of any part of Her Majesty's dominions, it shall be lawful for Her Majesty in Council to order that this Act shall, and this Act shall accordingly, subject to any conditions, exceptions, and qualifications contained in the Order, apply, during the continuance of the Order, as regards such Convention and Foreign State, and the postal service and mail ships described in the Convention; and where by virtue of any such Order this Act or any section thereof applies as regards any Convention, Foreign State, postal service, or mail ship, the same is in this Act referred to as a Convention, Foreign State, postal service, or mail ship to which this Act or section applies.

(2.) The Order shall recite or embody the terms of the Convention, and may be varied or revoked by Order in Council, but shall not continue in force for any longer period than the Convention.

(3.) Every Order in Council under this Act shall be laid before both Houses of Parliament forthwith after it is made, or, if Parliament be not then sitting, after the then next meeting of Parliament, and shall also be notified in the London Gazette and published under the authority of Her Majesty's Stationery Office.

Conveyance of letters by crew or passengers

2.—(1.) Where this section applies to a Convention with a Foreign State, the master of a British mail ship to which this

section applies when carrying mails to or from any port of the Foreign State, and the master of a mail ship of the Foreign State to which this section applies when carrying mails to or from any port of the United Kingdom, shall not, nor shall any person on board the ship, whether a passenger or belonging to the ship or any other person, convey in the ship for delivery to another person in the Foreign State or United Kingdom, as the case may be, any letter, other than the letters contained in mail bags entrusted to the master by a postal officer of the United Kingdom or of any Foreign State, or than the despatches sent by the Government either of the United Kingdom or of any Foreign State. of mail ships forbidden.

(2.) If a person on board such ship acts in contravention of this section, or refuses or fails on demand to give up to a postal officer, or, if such person is not the master, to the master, any letter so conveyed by him, he shall be liable, on summary conviction, to a fine not exceeding five pounds.

(3.) It shall be the duty of the master of the ship to secure the observance of this section by all persons on board the ship, and to inform the proper authorities at the port at which the ship arrives of any breach of this section by any of those persons, and if he wilfully fails to perform that duty he shall be liable to a fine not exceeding five pounds.

(4.) Provided that a person shall not be liable under this section to a fine for any offence for which he has been punished by the law of the Foreign State.

(5.) Nothing in this section shall apply to any letters which if sent from the United Kingdom would be exempted from the exclusive privilege of the Postmaster-General under the Act of the session of the seventh year of King William the Fourth and the first of Her present Majesty, chapter thirty-three, intituled "An Act for the management of the Post Office." 7 Will. 4 & 1 Vict. c. 33.

3.—(1.) Where the owner of any ships, British or foreign, applies to the High Court in England, and Regulation as to giving of security for ships engaged in postal service.

(*a*) produces a certificate of a Secretary of State that such owner is subsidised for the execution of any postal service within the meaning of a Convention with a Foreign State to which this Act applies, by reason of receiving from the Foreign State, or from the Government of the United Kingdom or of a British possession, a bonâ fide subsidy for the postal service mentioned in the certificate, and

(*b*) produces sufficient evidence of the nature of the said service and the number of and the prescribed particulars respecting the ships engaged therein, and

(*c*) gives notice of the application to the Board of Trade,

the High Court, after hearing the owner, and the Board of Trade if they wish to be heard, shall fix the nature and amount of the security which the owner ought to place under the control of the court for the purposes of this Act as respects the ships engaged in that postal service, and fix the maximum number and tonnage of the ships to which the security is to apply.

(2.) The security shall be the bond of the owner guaranteed either—

(*a.*) by the personal security of a surety, accompanied by an adequate real security given by the surety; or,

(*b.*) by the payment or transfer into court of cash, or of securities of the Government of the United Kingdom.

(3.) If the owner gives such security to the satisfaction of the High Court, then so long as the security is maintained and is sufficient to the satisfaction of the Court, and the number and tonnage of the ships for the time being actually engaged in carrying mails for the postal service in respect of which the security is given does not exceed the number and tonnage of the ships to which the security applies, the ships actually engaged in carrying mails for the said service shall be deemed to be exempted mail ships, and be entitled to the exemptions and privileges given by this Act to exempted mail ships; and the Board of Trade shall give the prescribed notices for informing the arresting authorities that the ships actually engaged in carrying the mails for the said postal service are exempted mail ships.

(4.) Notice of every application respecting any security given in pursuance of this section shall be given to the Board of Trade.

(5.) If at any time it appears to the Board of Trade that a security given as respects ships engaged in any postal service is from any cause (whether pending claims, variation of the conditions of the service, or otherwise) insufficient, the Board of Trade shall apply to the High Court, and that Court, if satisfied of such insufficiency, shall require the security to be made sufficient to the satisfaction of the Court within a reasonable time, and direct that in default the ships engaged in the postal service shall cease to be exempted mail ships, and that the Board of Trade shall give the prescribed notices for informing the arresting authorities of such cesser.

(6.) The amount and nature of the security may be varied and the whole security may be withdrawn, and the income of the security may be disposed of, by order of the High Court from time to time on such application either of the shipowners, or of the Board of Trade, or of any person appearing to be interested, and in such manner, and after such notice, and upon such terms and conditions as may be prescribed by rules of court, or, so far as the rules do not extend, as the Court may think just.

(7.) Provided that before the security is actually withdrawn, the High Court shall be satisfied—

(*a*) that the prescribed notice of the order for withdrawal has been given to the arresting authorities; and

(*b*) that there is no pending claim for the purposes of which the security may be required;

and upon the prescribed notice of the order for withdrawal being given to an arresting authority, the ships shall, as respects that authority, cease, after the date specified in the notice, to be exempted ships.

(8.) Rules of court may be made for carrying this section into effect, and in particular for regulating the nature, amount, and

value of the security to be given, and the mode of giving security, and of giving notices to the arresting authorities, and for providing for the evidence of the exemption of ships under this section, and for the information to be given from time to time to the High Court respecting the ships to which the security applies, and for the jurisdiction of the High Court under this Act being exercised in chambers.

Arrest and execution of process on board exempted mail ships.

4.—(1.) Where this section applies to a convention with a foreign state, and an exempted mail ship to which this section applies is in a port in the United Kingdom no person shall be arrested without warrant on board such ship, and before any process civil or criminal authorising the arrest of any person who is on board such ship is executed against that person the following provisions of this section shall be observed; that is to say,—

(*a.*) written notice of the intention to arrest a person who is, or is suspected to be, on board the ship, stating the hour at which, if necessary, the ship will be searched, shall, if it is a ship of a Foreign State and there is at the port a consulate of that State, be left at the consulate, addressed to the consular officer:

(*b.*) it shall be the duty of the master upon demand, if the said person is on board his ship, to enable the proper officer to arrest him:

(*c.*) if the officer is unable to arrest the said person he may, but if it is a foreign ship only after the expiration of such time after notice was left at the consulate as is specified in the convention, search the ship for such person, and if he is found may arrest him.

(2.) The ship may be delayed for the purposes of this section for the time specified in the Convention, but not for any longer time.

(3.) If the master of a ship refuses to permit a search of the ship in accordance with this section, any officer of customs may detain the ship, and such master shall be liable to a fine of five hundred pounds.

(4.) This section shall apply to the arrest of the master in like manner as in the case of any other person.

Exemption from seizure of exempted mail ship.

5.—(1.) An exempted mail ship to which this section applies shall not, subject as in this Act mentioned, be liable to be arrested or detained by any arresting authority either for the purpose of founding jurisdiction in any Court of Admiralty, or of enforcing the payment of any damages, fine, debt, or other claim or sum, or enforcing any forfeiture, whether arising from the misconduct of the master or any of the crew or otherwise, but every court of the United Kingdom by the process of which the ship could have been under the circumstances arrested or detained shall have the same jurisdiction as if the ship had been so arrested or detained, and any legal proceeding in relation to any such matter as aforesaid may be commenced by such service in the United Kingdom of any writ or process as may be prescribed by rules of court, and the High Court, on application, shall, in accordance with rules of court, cause the security to be applied in discharge of any such damages, fine, debt, claim, sum, or forfeiture.

(2.) Provided that nothing in this section shall render invalid the arrest or detention of a ship before the prescribed notice has been given to the arresting authority, but such authority, on proof that the ship is an exempted mail ship, shall release the ship. Where the Commissioners of Customs, in pursuance of any Act or as a condition of waiving any forfeiture, require a deposit to be made by any exempted mail ship to which this section applies, the amount of such deposit shall, on notice from the Commissioners of Customs, and without any further proceeding, be set apart out of the security as money belonging to the said Commissioners, and shall be paid and applied as they direct, and any rules of court relating to such notice, payment, or application shall be made with the consent of the Treasury.

Application of Act to public ships.

6.—(1.) Where the convention with a Foreign State provides that any provisions of the convention similar to those contained in this Act shall in any cases apply to a public ship of a Foreign State when employed as a mail ship, it shall be lawful for Her Majesty the Queen to agree that the like provisions shall apply to a public ship of Her Majesty in the like cases when employed as a mail ship, and to give effect to such agreement.

(2.) An Order in Council applying this Act as regards a Convention with a Foreign State may, if it seems to Her Majesty in Council to be consistent with the Convention so to do, apply this Act as regards a public ship of that Foreign State when employed as a mail ship in the cases authorised by the Convention, and this Act shall apply accordingly, as if such ship were an exempted mail ship belonging to a private owner, and any person may be arrested on board such ship accordingly.

Legal proceedings.

7.—(1.) Every fine under this Act, if exceeding fifty pounds, may be recovered by action in the High Court in England or Ireland or in the Court of Session in Scotland, and the court in which it is recovered may reduce the amount of such fine, and a fine under this Act not exceeding fifty pounds may be recovered on summary conviction, provided that every offence for which a fine exceeding fifty pounds can be imposed under this Act may be prosecuted on summary conviction, but the fine imposed on such conviction shall not exceed fifty pounds.

(2.) In the case of a summary conviction, any person who thinks himself aggrieved by such conviction may appeal to quarter sessions. In Scotland such person may appeal in manner provided by the Summary Prosecutions Appeals (Scotland) Act, 1875.

38 & 39 Vict. c. 62.

(3.) Service of any summons or other matter in any legal proceeding under this Act shall be good service if made by leaving the summons for the person to be served on board the ship to which he belongs with the person being or appearing to be master of the ship.

(4.) If a fine under this Act imposed on the master of a ship is not paid, and cannot be recovered out of any security given in pursuance of this Act, the Court may, in addition to any other power for enforcing payment of the fine, direct the amount to be levied by distress or poinding and sale of the ship, her tackle, furniture, or apparel. An officer of customs in detaining a ship or

releasing a ship after detention in pursuance of this Act shall act upon such requisition or authority and under such regulations as the Commissioners of Customs may make with the consent of the Treasury.

Application of Act to British Possessions.

8.—(1.) An Order in Council may for the purpose of a Convention with a Foreign State apply this Act, subject to any exceptions or modifications not inconsistent with the provisions of this Act, to any British Possession, and this Act when so applied shall, subject to those exceptions and modifications, and subject as herein-after mentioned, have effect as if it were re-enacted with the substitution of such British Possession for the United Kingdom;

Provided that before it is applied to any British Possession named in the schedule to this Act the Government of such possession shall have adhered to the Convention.

(2.) Where this Act applies to a British possession, it shall not be necessary for the owner of any mail ship to give security in any court in that possession, and the provisions of this Act with respect to the jurisdiction of any court of the United Kingdom, other than any jurisdiction relating to the application of the security, shall apply as if a court in the British Possession were substituted for a court of the United Kingdom.

(3.) It shall be lawful for Her Majesty in Council to make rules for carrying into effect, as respects British Possessions, the provisions of this Act with respect to the security given by mail ships, and in particular with respect to the commencement of a legal proceeding by service of a writ or process in the Possession, and to the notices to be given to arresting authorities in the Possession, and the evidence to be receivable by such authorities of the security having been given or withdrawn, and the application of the security in discharge of any damages, fine, debt, claim, sum, or forfeiture, where the same are or is recovered or payable either in the British Possession, or under proceedings pending concurrently in that British Possession and in any other British Possession or the United Kingdom.

(4.) If by any law made either before or after the passing of this Act by the Legislature of any British Possession provision is made for carrying into effect within such Possession any convention to which this Act applies, Her Majesty in Council may suspend the operation within such Possession of this Act or of any part thereof so far as it relates to such convention, and so long as such law continues in force there, or direct that such law or any part thereof shall have effect in such British Possession with or without modifications and alterations as if it were part of this Act.

Definitions.

9. In this Act—

The expression "mail bag" means a mail of letters, or a box, or parcel, or any other envelope in which post letters within the meaning of the Acts relating to the Post Office, are conveyed;

The expression "subsidy" includes a payment for the performance of a contract;

The expression "master of a ship" includes any person in charge of a ship, whether commander, mate, or any other person;

The expression "ship of a Foreign State" means a ship entitled to sail under the flag of a Foreign State;

The expression "arresting authority" means any court, authority, or officer having power to arrest or detain a ship, or to arrest a person on board a ship, or to order such arrest or detention, or to order the execution of any process, civil or criminal, for the arrest of a person on board any ship;

The expression "postal officer" means any person employed in the business of the Post Office of the United Kingdom or a British Possession or Foreign State, as the case may be, whether employed by the Postmaster General, or the chief of the Post Office of the British Possession, or the chief of the Post Office of the Foreign State, or by any person under him, or on behalf of any such Post Office.

Short title.

10. This Act may be cited as the Mail Ships Act, 1891.

Section 8.

SCHEDULE.

BRITISH POSSESSIONS TO WHICH ACT IS APPLICABLE ONLY UPON THE GOVERNMENT ADHERING TO CONVENTION.

British India.
Dominion of Canada.
Newfoundland.
New South Wales.
Victoria.
South Australia.
Western Australia.
Queensland.
Tasmania.
New Zealand.
Cape of Good Hope.
Natal.

CHAPTER 32.

An Act to amend the Law relating to Roads and Streets in Police Burghs in Scotland. [21st July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Roads and Streets in Police Burghs (Scotland) Act, 1891.

Police burgh may assume management of highways within it.

2. It shall be lawful for the commissioners of any police burgh, at a meeting summoned for the purpose on not less than one month's notice by special advertisement in any newspaper published or circulating in the police burgh, to resolve, if they think fit, to undertake the management and maintenance of the highways within the police burgh, and it shall be lawful for the county council or county councils of any county or counties within which a police burgh is situated, at a meeting summoned for the purpose

on not less than one month's notice by special advertisement in any newspaper published or circulating in the county or counties, to resolve to require the commissioners of such police burgh to undertake the management and maintenance of the highways within the police burgh ; and in either of these cases it shall be lawful for the commissioners to agree with the county council of the county or counties within which the police burgh is situated as to the terms upon which the highways within the police burgh shall be transferred to the commissioners, and failing agreement the said terms shall be settled summarily by the sheriff or sheriffs of the county or counties in which such police burgh is situated, who shall take into consideration all the circumstances of the case, including the cost of maintaining the highways in the neighbourhood of such police burgh, and whose decision shall be final; and upon the parties agreeing as aforesaid, or upon the terms of transference being settled as aforesaid, the highways within the police burgh shall, as from and after the fifteenth day of May next ensuing, but subject to the provisions of this Act, be transferred to and vested in the commissioners, who shall have the entire management and control of the same, and shall possess the same rights of assessment, and other rights, powers, and privileges, and be subject to the same liabilities in reference to the highways (including the construction of new roads and bridges) therein as the local authority of any burgh under the Roads and Bridges (Scotland) Act, 1878, and any Act amending the same possesses and is liable to in reference to the highways therein (including as aforesaid), and also in reference to the streets within such burgh: Provided always, that any such resolution of the commissioners or county council or county councils may be rescinded with the consent of and upon such terms as may be agreed upon with the county council or county councils or such commissioners respectively, and thereupon the original rights, powers, and privileges and liabilities of the said county council or county councils in regard to the highways within such police burgh shall revive in full force and effect. 41 & 42 Vict. c. 51.

Extension of burgh boundaries.

3. At any time after the expiration of ten years after a settlement under this Act between the commissioners of any police burgh and any county council or county councils, or if the boundaries of the said burgh are extended, it shall be lawful for the commissioners of the said police burgh or for such county council or county councils to obtain the readjustment of the said terms of settlement either by entering into a new agreement, or by an appeal to the sheriff or sheriffs, in the manner provided in this Act.

Where sheriffs differ in opinion.

4. Where any matter falls to be determined under this Act by two sheriffs, and they shall differ in opinion, they shall report the case to the Lord Ordinary on the Bills in the Court of Session, whose decision shall be final.

Saving as to road debt.

5. Nothing contained in this Act or done in pursuance thereof shall affect any allocation or liability for payment of road debt under the Roads and Bridges (Scotland) Act, 1878, or under any other Act, general or local, or of the interest thereon.

Agreement between police commissioners and county council.

6. In the event of the commissioners of any police burgh not resolving to undertake the management and maintenance of highways as aforesaid within the police burgh, it shall be lawful for such commissioners to claim annually from the county council of the county within which such police burgh is situated, or in the case of the county being divided into districts, from the district committee or committees, a fair and reasonable contribution towards the expense of managing and maintaining such streets and roads within the police burgh as are maintained by the said commissioners; and it shall be lawful for the said county council, or for the said district committee or committees, if in its opinion the said claim is a reasonable one, to agree with the said commissioners as to the amount of the said contribution, and to pay the amount so agreed upon to the commissioners out of the rate levied for the management and maintenance of highways within the division or district or parish (as the case may be) in which the said police burgh is situated.

Definitions.

7. In this Act—

The expression "police burgh" means a populous place, the boundaries whereof have been fixed and ascertained under the provisions of the General Police and Improvement (Scotland) Act, 1862, or of the Act first therein recited, or have been determined by or under any local Act.

25 & 26 Vict. c. 101.

The word "highway" shall have the same meaning as in the Roads and Bridges (Scotland) Act, 1878, and any Act amending the same.

The word "sheriff" shall not include "sheriff substitute."

CHAPTER 33.

An Act to amend the Laws relating to the Rating of Allotments for Sanitary purposes. [21st July 1891.]

WHEREAS it is enacted by section two hundred and eleven, sub-section (1.) (*b.*), and section two hundred and thirty of the Public Health Act, 1875, that "the occupier of any land used as "arable, meadow, or pasture ground only, or as woodlands, market "gardens, or nursery grounds," shall be assessed to the general district rate in an urban district or to a separate rate levied in respect of special expenses within the meaning of the said Act in a rural district, in the proportion of one-fourth part only of the net annual value or rateable value of such land:

38 & 39 Vict. c. 55.

And whereas doubts have arisen whether allotments are or are not included among the lands to which the aforesaid exemptions apply:

And whereas it is expedient to remove such doubts, and to render the practice of assessment uniform, and to relieve allotments from all liability to be assessed for sanitary purposes at a higher rate than other cultivated lands:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 38 & 39 Vict. c. 55. ss. 211 (1.) (*b.*), 230.

1. From and after the first day of October one thousand eight hundred and ninety-one section two hundred and eleven, sub-section one, and section two hundred and thirty of the Public Health Act, 1875, shall be read and construed as if the word "allotments" was inserted in each of those sections after the word "woodlands": Provided that nothing in this Act shall apply to any rate made under either of the said sections on or before the first day of October one thousand eight hundred and ninety-one.

Definition of "allotment."

2. "Allotment" means any parcel of land of not more than two acres in extent and let as an allotment, and cultivated as a garden or a farm, or partly as a garden and partly as a farm.

Short title of Act.

3. This Act may be cited as the Allotments Rating Exemption Act, 1891.

CHAPTER 34.

An Act to provide increased Facilities for the raising of Money by Local Authorities in Scotland by the issue of Debentures, Stock, or otherwise. [21st July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as the Local Authorities Loans (Scotland) Act, 1891.

Extent of Act.

2. This Act shall extend to Scotland only.

Commencement of Act.

3. This Act shall come into operation on the first day of December, one thousand eight hundred and ninety-one, which day is hereinafter referred to as the commencement of this Act.

Interpretation.

4.—(1.) In this Act, if not inconsistent with the context, the following terms have the meanings herein-after respectively assigned to them; that is to say,—

The expression "local authority" means any county council, town council, or other authority whatsoever having power to levy a rate as in this Act defined:

Provided that where in any burgh there are police commissioners or other commissioners or trustees having powers of levying and borrowing on the security of a rate, this Act shall be carried into execution by the town council, and in so far

as necessary to give effect to the provisions of this Act the powers aforesaid at the commencement of this Act vested or which at any future time may be vested in the commissioners or trustees aforesaid shall be transferred to and may be exercised by the town council as local authority in respect thereof:

The expression "rate" means an assessment or rate the proceeds of which are applicable to public local purposes, and which is leviable on lands and heritages, and includes any sum which though obtained in the first instance by a precept, certificate, or other document requiring payment from some authority or officer, is or can be ultimately raised out of a rate, and the levy of a rate includes the issue and enforcement of any such precept, certificate, or document as aforesaid, and expressions relating to the levy and the assessment of a rate shall be construed accordingly:

The expression "rate" also includes water rates or rents, gas rates or rents, and charges for supply of water or gas, or the hire of meters or fittings connected therewith:

The expression "bank" means any bank in Scotland established by or in pursuance of the powers contained in any Act of Parliament or royal charter:

The expression "stock" when used alone means stock created under the powers of this Act; and the expression "stockholder" means a holder of such stock:

5 & 6 Will. 4. c. 62.

The expression "statutory declaration" means a declaration under the Statutory Declarations Act, 1835:

The expression "prescribed" means prescribed by the Secretary for Scotland:

The expression "bond" includes bond and disposition in security:

25 & 26 Vict. c. 101.

The expression "burgh" includes royal and parliamentary burghs and any populous place the boundaries whereof have been fixed and ascertained under the provisions of the General Police and Improvement (Scotland) Act, 1862, or of the Acts therein recited or under the provisions of any local Act.

(2.) Any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under this Act or under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed is for purposes of this Act a statutory borrowing power.

(3.) Where in any burgh there is a common good according to the law and usage of Scotland the town council may from time to time apply to the Secretary for Scotland to determine the amount which the town council may borrow on the security of such common good, having regard to the capital value thereof and all

other circumstances affecting the same, and the Secretary for Scotland may, after such inquiry as he shall deem proper, by order determine such amount accordingly, and the order shall be published in the Edinburgh Gazette ; and thereafter the town council shall be deemed to have a statutory borrowing power within the meaning of this Act over the common good to the amount so determined by the Secretary for Scotland.

(4.) Any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money, and any mortgage, bond, debenture, debenture stock, corporation stock, or other stock, annuity, rentcharge, rent, or other security authorised by or under any Act of Parliament passed or to be passed of any local authority in Great Britain except the local authority taking the security, is for purposes of this Act a statutory security.

(5.) The provisions of this Act referring to interest apply to and include instalments of an annuity and half-yearly or other payments of or in respect of a rentcharge, rent, or other statutory security.

Creation and Charge of Stock.

Creation of stock.

5.—(1.) Where the local authority have for the time being any statutory borrowing power, then subject and according to the provisions of this Act the local authority may from time to time by resolution exercise the power by creation of redeemable stock, to be from time to time issued for such amount within the limit of the power, at such price, to bear such half-yearly or other dividends, and to be so transferable, that is to say, in books or by deed, as the local authority by the resolution direct : Provided that all stock at any one time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock, bearing one and the same rate of dividend, and redeemable at the option of the local authority at such one and the same time, not exceeding sixty years from the first creation of the stock, as the Secretary for Scotland, on the application of the local authority, may approve, and the whole of the stock shall be redeemed and extinguished within such period.

(2.) All stock at any time and from time to time so created shall rank equally, without any priority or preference by reason of any precedence in the date of any statutory borrowing power, or in the date of creation of any portion of stock, or in the date of issue of any portion of stock, or on any other ground whatsoever, and shall also rank equally with all other securities of the local authority at any time after the date of the first creation of any stock under this Act granted by the local authority in pursuance of any statutory borrowing power.

(3.) The resolution for the first creation of stock shall provide that such stock shall be redeemable, at the option of the local authority, at par, that is to say, at the rate of one hundred pounds sterling for every nominal amount of one hundred pounds stock issued at such time and in such manner as the local authority by that resolution declare.

(4.) Each resolution for creation of stock shall specify after what period the stock thereby created is redeemable, and within what period the stock is to be redeemed and extinguished.

(5.) Stock so created shall be designated by the local authority as redeemable stock, and shall bear such further designation as the Secretary for Scotland, on the application of the local authority, may approve.

Confirmation of resolution by Secretary for Scotland.

6. A resolution of a local authority, as in the last section mentioned, shall not take effect unless and until—

(1.) It is confirmed at a subsequent meeting of the local authority, held after the resolution has been published in the prescribed manner, and after the expiration of the prescribed time, being not earlier than fourteen days after the first publication of such resolution; and

(2.) It is confirmed by the Secretary for Scotland by an Order under his hand and seal of office.

Borrowing power to be exerciseable for actual sum raiseable.

7. Each statutory borrowing power of the local authority shall, subject to the provisions of this Act, be construed to authorise the local authority to create and issue stock from time to time to such nominal amounts as in the aggregate will, according to the price of issue, produce the actual amount of money for the time being lawfully raiseable by the local authority under that power, or some portion of that actual amount, or (as the case may be) the actual amount of money properly payable by the local authority as consideration on payment off or redemption by the local authority of any mortgage, bond, debenture, debenture stock, corporation stock, or other stock, annuity, rentcharge, rent, or other security granted or created by the local authority.

Charge of stock.

8.—(1.) All stock for the time being issued, and the dividends thereon, shall be and the same are by virtue of this Act charged indifferently on the whole revenues of the local authority from time to time arising from the lands and heritages, undertakings, and other property for the time being of the local authority, and on all funds and rates established and leviable by the local authority.

(2.) The dividends for the time being payable on all stock shall rank equally with the interest on all other securities of the local authority at any time after the date of the first creation of any stock created or granted in pursuance of any statutory borrowing power, and the same dividends and interest shall, subject to all charges existing at that date, be the first charge on the revenues and rates aforesaid, and on the revenues of the funds aforesaid, all which revenues and rates are comprised in the term the local authority revenues when hereafter used in this Act.

Loans Fund.

Establishment of consolidated loans fund.

9. For payment of dividends on all stock, and for redemption and extinction, or purchase and extinction thereof, there shall be established and formed a fund called the Consolidated Loans Fund (in this Act referred to as the loans fund).

Contributions to loans fund for dividends.

10.—(1.) In each year the local authority shall pay into the loans fund a sum or sums equal to the aggregate amount of all dividends payable in that year on the several portions of stock issued, in exercise of the respective statutory borrowing powers of the local authority, and remaining outstanding.

(2.) They shall provide the sum or sums aforesaid by contributions from the several local authority revenues, if any, specifically made liable to provide the same by or under any Act of Parliament, or any Provisional Order confirmed by Act of Parliament, or any order or sanction of any Government department, or by any resolution of the local authority having reference to those respective statutory borrowing powers, and if, as regards any statutory borrowing power there is no such specific liability, then from the several local authority revenues out of which interest would have been payable on money borrowed by the local authority under that power, if that money had been raised and remained secured otherwise than by stock, and in default thereof, or subject thereto, they shall provide the same out of the guarantee rate herein-after provided.

(3.) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this Act) shall be the sums ascertained to be required in that behalf by apportionment of that aggregate amount of dividends among the several local authority revenues according to the amount of stock the dividends whereon are properly payable thereout respectively.

Contributions to loans fund for extinction of stock.

11.—(1.) In each year the local authority shall pay into the loans fund a sum or sums equal to the aggregate amount of all sums payable in that year for redemption and extinction, or purchase and extinction, of the several portions of stock issued in exercise of the respective statutory borrowing powers of the local authority, and remaining outstanding.

(2.) They shall provide the sum or sums last aforesaid by contributions from the several local authority revenues, if any, specifically made liable to provide the same by or under any Act of Parliament, or any Provisional Order confirmed by Act of Parliament, or any order or sanction of any Government department, or by any resolution of the local authority having reference to those respective statutory borrowing powers, and if, as regards any statutory borrowing power, there is no such specific liability, then from the several local authority revenues out of which any yearly or other sums would have been payable towards a sinking fund for discharge, or towards payment off, by instalments, appropriations, annual repayments, or otherwise, of money borrowed by the local authority under that power, if that money had been raised and remained secured otherwise than by stock, and in default thereof, or subject thereto, they shall provide the same out of the guarantee rate herein-after provided.

(3.) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this Act) shall be the same amounts as would, in the same respective cases, have been payable towards a sinking fund, or towards payment off, as aforesaid, of those contributions to be subject to accumulation if and as in the same respective cases accumulation was directed.

(4.) The local authority shall from time to time by investment on statutory securities of the sums paid into the loans fund in respect of those several contributions or of proper parts thereof and by like investment of the interest and annual proceeds arising from those securities make and maintain such accumulations as are in this section referred to.

(5.) But if the extinction of any portion of stock or any part thereof is accelerated by the application to such extinction of any part of the loans fund required by this Act to be applied to the making and maintenance of those accumulations, then a sum or sums equal to the dividends on the stock so extinguished shall thenceforth in every year, during the residue of the period expressly or by implication limited for the continuance of any loan, be paid into the loans fund out of the local authority revenues chargeable with payment of the dividends on that portion of stock.

Raising of contributions to loans fund.

12.—(1.) The local authority shall, from time to time, in order to raise the amounts of the several contributions of the two kinds aforesaid, out of the several local authority revenues, do all such acts, exercise all such powers, collect all such money, and levy all such rates as they lawfully can or ought to do, exercise, collect, and levy for the purposes of or in relation to the respective statutory borrowing powers in exercise whereof the several portions of stock are issued.

(2.) If by reason of any limit of rate, or for any other reason, there is a deficiency on any local authority revenue in respect of any required contribution, the local authority shall advance the amount of the deficiency out of the loans fund.

(3.) The amount so advanced shall be a debt due from the local authority revenue on which the deficiency existed to the loans fund, and interest shall be payable thereon at the rate of five per centum per annum until repayment, and the same debt and interest shall, as soon as in the judgment of the local authority reasonably may be, be raised and paid out of the local authority revenue on which the deficiency existed.

(4.) The amount so advanced, with interest thereon as aforesaid, shall, when repaid to the local authority, be carried into the loans fund and applied to replace the moneys advanced under sub-section (2) of this section, or if the amount so advanced has been provided out of moneys raised by means of the guarantee rate herein-after authorised, the amount so advanced, with interest thereon as aforesaid, shall be carried into the loans fund and applied towards the paying off, rateably or otherwise, as the local authority shall determine, the moneys borrowed by the local authority under this or any other Act of Parliament.

Payment of sale money, rents, &c. to loans fund.

13.—(1.) The local authority shall pay into the loans fund, and shall carry to the proper separate account forming part of the general account of the loans fund, all such money being capital, or in the nature of capital, and not being otherwise wholly or in part appropriated or made applicable by law or by valid contract as shall from time to time arise from any sale, lease, or other disposition of lands and heritages, or other property of the local authority on the

revenues whereof any stock is charged, and (if the local authority have power to lend) all principal moneys received by the local authority on the payment off, or on account, of any loan made by the local authority by means of the creation and issue of stock under the powers of this Act.

(2.) The local authority shall pay into the loans fund, and shall carry to the proper separate account forming part of the general account of the loans fund, the rents and profits of any lands and heritages, and other property of the local authority acquired by them for the purposes of any undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of stock, and not otherwise wholly or in part appropriated or made applicable by law or by valid contract, and (if the local authority have power to lend) all moneys received by the local authority as interest on any loan made by the local authority by means of the creation and issue of stock under the powers of this Act.

(3.) The local authority, before making any payment into the loans fund under this section, may deduct from the money or the rents and profits to which this section applies any costs and expenses properly incurred by the local authority in or about any sale, lease, or other disposition, or the collection and receipt of any rents and profits.

Guarantee rate.

14. If at any time it shall appear to the local authority that the amount of any deficiency in respect of any contribution from any of the local authority revenues to the loans fund as herein-before provided, should be advanced to the loans fund out of moneys to be raised by means of the guarantee rate herein-after mentioned, and the local authority at a meeting specially called, with notice of the object, resolve so to advance the amount of any such deficiency, the local authority may and they are hereby empowered to impose, assess, and levy upon and from all lands and heritages situated within the district of the local authority such rate as they may consider necessary for the purpose of advancing the amount of any such deficiency, which rate shall be called the "guarantee rate"; and the sums so imposed, assessed, and levied shall be carried to and form part of the loans fund, and be applied as herein provided with respect to contributions to the said fund.

Mode of levying guarantee rate.

15. The guarantee rate shall be imposed and assessed one-half on the owners and one-half on the occupiers of all lands and heritages within the district of the local authority, and shall be levied and recovered in the same manner and subject to the same provisions as the general purposes rate in a county, the police assessment in a burgh, and in the district of any other local authority any rate leviable therein by such local authority.

Application of loans fund.

16. The local authority shall, from time to time, apply the loans fund, first, in paying the dividends on all stock, and next in redeeming stock according to the terms of issue, and purchasing stock for extinction.

Extinction of stock redeemed or purchased.

17. All stock redeemed by the local authority, or purchased by the local authority for extinction, shall be forthwith cancelled by the local authority, and on such cancellation the same and all dividends thereon (not already accrued) shall be and the same are by virtue of this Act extinguished.

Account of loans fund.

18.—(1.) As parts of the general account of the loans fund, the local authority shall keep separate accounts relative to—

(*a.*) Each undertaking or purpose for, or in respect of, which any statutory borrowing power is exercised by them by the issue of stock; and

(*b.*) Each statutory borrowing power so exercised.

(2.) Those separate accounts shall distinguish and show—

(*c.*) The portions of stock for the time being unextinguished and chargeable to each undertaking or purpose, and respectively attributable to the exercise of the several statutory borrowing powers, if more than one, relating to that undertaking or purpose; and

(*d.*) The amounts of those several portions of stock redeemed or purchased by means of the loans fund and cancelled and extinguished.

(3.) Those separate accounts shall further distinguish and show in relation to each undertaking or purpose—

(*e.*) All money being capital, or in the nature of capital, arising from any sale, lease, or other disposition of lands and heritages, or other property of the local authority, or (if the local authority have power to lend) principal received on payment off of any loan made by the local authority by means of the creation and issue of stock, under the powers of this Act, paid into the loans fund, and, in the judgment of the local authority, properly attributable to that undertaking or purpose, and the securities on which that money or any part thereof is from time to time invested; and

(*f.*) All money from time to time received as interest, and annual proceeds of the last-mentioned money and securities; and

(*g.*) All money from time to time received as rents and profits of any lands and heritages, and other property of the local authority so as aforesaid acquired, and not otherwise appropriated or made applicable; and

(*h.*) All money and securities transferred to the loans fund as having formed part of a sinking fund, and all money from time to time received as interest and annual proceeds of the last-mentioned money and securities, or of securities wherein the same interest and annual proceeds are from time to time invested by way of accumulation; and

(*j.*) All money paid into the loans fund as contributions from the local authority revenues in respect of dividends on the several portions of stock chargeable to that undertaking or purpose; and

(*k.*) All money paid into the loans fund as contributions from the local authority revenues in respect of redemption and extinc-

tion, or purchase and extinction, of those several portions of stock.

(*l.*) All money paid into the loan fund as interest on any loan made by the local authority (if the local authority have power to lend) by means of the creation and issue of stock under the powers of this Act.

(*m.*) All money being unclaimed dividends paid into the loans fund as herein-after provided.

Application of income in reduction of contributions.

19.—(1.) Where any money is standing on a separate account in the loans fund being money paid into the loans fund as rents and profits of the lands and heritages and other property of the local authority, or being money paid into the loans fund as interest on cash balances received by the local authority, or being other money paid into the loans fund, but not being capital or in the nature of capital, and not being required by this Act to be applied to the making and maintenance of such accumulations as are provided for by this Act, the local authority may deal with the same as in this section provided.

(2.) Where any money is standing on a separate account in the loans fund, being money required by this Act to be applied to the making and maintenance of such accumulations as are provided for by this Act, the local authority, after providing for the making and maintenance of those accumulations, may, if they think fit, from time to time, invest that money, or any part thereof, in statutory securities, and deal with the interest and annual proceeds of those securities as in this section provided.

(3.) The local authority may, if they think fit, from time to time apply the money described in paragraph (1) of this section, and the last-mentioned interest and annual proceeds to either of the purposes following, or to both of those purposes, in such proportion as the local authority from time to time may consider equitable and expedient (that is to say):—

(*a.*) In reduction of such contributions out of the local authority revenues as are payable into the loans fund in respect of dividends on the portions of stock comprised in the separate account on which the money or interest and annual proceeds is or are standing:

(*b.*) In reduction of such contributions out of the local authority revenues as are payable into the loans fund for redemption and extinction, or purchase and extinction, of those portions of stock.

Determination as to charge of stock.

20. For the purposes of any contribution or account under this Act the local authority, if they think fit, having regard to all the circumstances of the case, and subject to the terms on which any loan of the local authority was contracted or any stock was issued, may, from time to time, determine and declare on which of the local authority revenues any loan of the local authority or any portion of stock is or shall be deemed to be primarily or collaterally charged, or determine and declare that any loan of the local authority or any portion of stock shall be apportioned, as regards

the charge thereof, between or among any of the local authority revenues and every such determination and declaration shall be effectual to all intents.

Conversion of other Securities into Stock.

Payment off or substitution for existing securities.

21.—(1.) Where any mortgage, bond, debenture, debenture stock, annuity, rentcharge, or other security, granted or created before or after the passing of this Act by the local authority under any statutory borrowing power, is outstanding or payable, and the local authority have power, with the consent of the holder of that security or otherwise to pay off the amount thereby secured or represented, or to redeem the same, they may pay off or redeem the security accordingly with money raised by stock, or they may, with the consent of the holder thereof, issue stock in substitution for the security.

(2.) The local authority may in every such case make such reasonable payment as they may think fit to the holder of any security for his consent or for otherwise compensating him for the payment off or redemption of or substitution for his security, and any such payment may be either in money or stock or partly in one and partly in the other: Provided that public notice by advertisement in a newspaper circulating in the district of the local authority shall be given of any resolution to make such payment, and that the resolution shall not be acted upon until it has been confirmed at a second meeting of the local authority held not less than ten days after such advertisement.

(3.) The local authority may, subject to and in accordance with the provisions of this Act, create and issue stock to such amount as may be requisite for purposes of this section, and that stock shall be deemed to be created and issued and any money raised thereby shall be deemed to be raised by virtue of the statutory borrowing power under which the security was granted or created, and any money so raised shall be applied in payment off or redemption of the security.

(4.) In every such case of payment off, redemption, or substitution the local authority shall pay and transfer into the loans fund the whole or a proportionate part (as the case may require) of any money and securities forming part of the sinking fund applicable to the discharge of the security.

8 & 9 Vict. c. 19.

(5.) Where the holder of the security is one of the persons described in section seven of the Lands Clauses Consolidation (Scotland) Act, 1845, and by that Act enabled to sell land thereunder, that person may consent to payment or redemption of or substitution for the money secured or represented by that security, and may accept money for giving that consent as if the person so consenting were the absolute owner of that security, and that person is hereby indemnified for so doing, and his receipt shall be a good discharge for the same.

(6.) Money received by the holder of any security as authorised by this section, and stock issued to him in substitution for any security shall be subject to the same trusts, powers, testamentary

and other dispositions, provisions, and incumbrances as the money secured or represented by the security was subject to immediately before the payment off, redemption, or substitution, and every deed or other instrument or any testamentary or other disposition shall take effect with reference to the whole or a proportionate part of the money or stock received or substituted as the case may be.

Effect on Borrowing Powers.

Extinction or suspension of power.

22. On the issue of any portion of stock the statutory borrowing power in exercise whereof that stock is issued shall be affected as follows (namely):

(*a.*) If the stock is issued for the whole term limited for the continuance of any loan or for the continuance of payment of or in respect of any mortgage, bond, debenture, debenture stock, annuity, rentcharge, rent, or other security granted or created by the local authority under that statutory borrowing power, then that power to the extent of the money raised by that stock shall be and the same is by virtue of this Act extinguished; but

(*b.*) If the stock is issued for part only of that term, then so much of the money raised by that stock as has not been paid off out of the loans fund may be reborrowed by the local authority for the residue of that term, or any part thereof, and so from time to time.

Application of Money raised.

General application of money from stock.

23. Money raised by stock shall be applied for purposes for which money raiseable under the statutory borrowing power in exercise whereof the stock is issued ought by law to be applied and not otherwise.

Temporary investment of money raised by stock.

24.—(1.) The local authority may from time to time invest temporarily on statutory securities (other than stock certificates to bearer and other than statutory securities of the local authority) money raised by stock, and not for the time being applied to or required for the undertaking or purpose for which it is raised, and shall from time to time pay the interest and annual proceeds of those securities into the loans fund.

(2.) The local authority may, if they think fit, from time to time apply the interest and annual proceeds aforesaid or any part thereof in reduction of such contributions out of the local authority revenues as are payable into the loans fund in respect of dividends on the respective portions of stock by the issue whereof that money is raised.

Registration and Certificates.

Appointment of registrar.

25.—(1.) The local authority may, if they think fit, and on and subject to such terms and instructions not inconsistent with any provision of this Act as they think expedient, appoint and keep appointed an officer of the local authority or other person or any bank as registrar for all or any of the purposes of this Act (in this Act referred to as the registrar).

(2.) The local authority in relation to the provisions of this Act and the registrar shall respectively be deemed a banker within the Bankers Books Evidence Act, 1879.

42 & 43 Vict. c. 11.

Stock register.

26.—(1.) The local authority or the registrar shall keep books in which shall be entered the names and addresses of holders from time to time of stock and the amounts held by them (in this Act referred to as the stock register).

(2.) The stock register shall be primâ facie evidence of any matter entered therein in accordance with this Act and of the title of the persons entered therein as holders of stock.

Certificates of proprietorship of stock.

27.—(1.) On demand of a holder of stock the local authority shall, subject to the provisions herein-after contained in regard to the issue of stock certificates to bearer, give to him a certificate of the proprietorship thereof under their common seal (which if not already incorporated they are hereby authorised to have and use) specifying the amount of stock to which he is entitled (in this Act referred to as a stock certificate).

(2.) Every such certificate shall be signed by two members of the local authority and by the registrar.

(3.) A stock certificate shall be primâ facie evidence of the title of the person therein named, his executors, administrators, successors, or assignees to the stock therein specified, but the want of a stock certificate, if such want be accounted for to the satisfaction of the local authority, shall not prevent the holder of stock from disposing of and transferring the same.

(4.) If a stock certificate is worn out or damaged the local authority on production thereof may cancel it and give a similar stock certificate to the party in whom the property in the stock certificate and in the stock therein specified is then vested.

(5.) If a stock certificate is lost or destroyed the local authority, on proof thereof to their satisfaction, may give a similar stock certificate to the party entitled to the certificate lost or destroyed.

(6.) An entry of the issue of a stock certificate or a substituted certificate, as the case may be, shall be made in the stock register.

Transfer.

Power for stockholder to transfer.

28. Subject to the provisions of this Act every stockholder may transfer all or any part of his stock in books or by deed.

Transfer in books.

29.—(1.) If and where the resolution for creation of any portion of stock makes the same transferable in books and not by deed the provisions of this section shall apply and have effect but not otherwise.

(2.) The local authority or the registrar shall keep books wherein transfers of stock so transferable shall be entered (in this Act referred to as the stock transfer books).

(3.) Every such entry shall be conceived in proper words for the purpose of transfer, and shall be signed by the party making the transfer, or, if he is absent, by his agent thereunto lawfully authorised, in writing under his hand attested by a witness.

(4.) Where any bank are the registrar they may, if they think fit, require that the agent be so authorised by power of attorney

under the hand and seal of the party making the transfer, attested by one or more witnesses.

(5.) The person to whom a transfer is made may, if he thinks fit, underwrite his acceptance thereof.

(6.) Except as otherwise provided by some other Act of Parliament and subject to the provisions of this Act respecting any portion of stock which the resolution for creation thereof makes transferable by deed and not in books, no mode of transferring stock other than that provided for in this section shall be good in law.

Transfer by deed.

30.—(1.) If and where the resolution for creation of any portion of stock makes the same transferable by deed and not in books the provisions of this section shall apply and have effect but not otherwise.

(2.) Every transfer of stock so transferable shall be by deed.

(3.) The deed of transfer shall relate only to the transfer, and shall not contain any recital, trust power, or proviso whatsoever, but this provision shall not prevent any of the parties to the transfer being described as a trustee or as possessing any official character.

(4.) The deed of transfer when duly executed shall be delivered to and kept by the local authority or the registrar, and the local authority or the registrar shall enter a memorial thereof in a book to be called the register of transfers of stock, and shall indorse on the deed of transfer a notice of that entry.

(5.) The local authority or the registrar shall on demand and on delivery up of the old stock certificate, or on proof satisfactory to the local authority of its absence, deliver a new stock certificate to the purchaser, or shall, at the option of the purchaser, make an indorsement of the transfer on the existing stock certificate, which indorsement being signed by direction of the local authority or by the registrar shall be equivalent to a new stock certificate.

(6.) Until the deed of transfer has been so delivered to the local authority or the registrar, the local authority or the registrar shall not be affected thereby, and the purchaser of the stock shall not be entitled to receive any dividend thereon.

Evidence on transfer.

31.—(1.) The local authority or the registrar, before allowing any transfer of stock, may, if the circumstances of the case appear to them or him to make it expedient, require evidence of the title of any person claiming a right to make the transfer.

(2.) That evidence shall be a statutory declaration of one or more competent persons, or of such other nature as the local authority or the registrar, with the approval of the local authority, may require.

Closing of transfer books.

32.—(1.) The local authority or the registrar, with the approval of the local authority, may, as regards any portion of stock, close the stock transfer books, or the register of transfers of stock (as the case may be) on any day in the month next before that in which dividends on that portion of stock are payable, but so that the books be not at any time kept closed for more than fifteen days.

(2.) The persons who, on the day of such closing, are inscribed as stockholders shall, as between them and their transferees of stock, be entitled to the dividend next payable thereon.

Stamp duty on transfers.

33. Unless the local authority have compounded for stamp duty, all stock issued by the local authority shall, notwithstanding anything in any resolution of the local authority, be transferable by deed and not in books, and every deed of transfer of stock transferable by deed shall be duly stamped, and the consideration shall be truly stated therein.

Transmission.

Transmission on death.

34.—(1.) The interest in stock of a stockholder dying shall be transferable by his executors or administrators, notwithstanding any specific bequest thereof.

(2.) The local authority or the registrar shall not be required to allow any executors or administrators to transfer any stock until the confirmation or probate of the will of, or the letters of administration to, the deceased has or have been left with the local authority or the registrar for registration, and may require all the executors who have been confirmed or have proved the will to join in the transfer.

Transmission on marriage, &c.

35.—(1.) If the interest in any stock has become transmitted in consequence of the bankruptcy of a stockholder, or the marriage of a female stockholder, or by any lawful means other than a transfer in books or by deed, or than the death of a stockholder, that transmission shall be authenticated by a statutory declaration of one or more competent persons, or in such other manner as the local authority or the registrar require.

(2.) The declaration shall state the manner in which and the party to whom the stock has been transmitted, and shall be left with the local authority or the registrar.

(3.) If the transmission is in consequence of the marriage of a female stockholder, the declaration shall, if the local authority or the registrar so require, set forth a copy of the register of the marriage or other particulars of the celebration thereof, and declare the identity of the wife with the holder of the stock.

(4.) The name of the person entitled under the transmission shall be entered in the stock register.

(5.) Until the transmission has been so authenticated, the local authority or the registrar shall not be affected thereby, and no person claiming by virtue thereof shall be entitled to receive any dividend on the stock.

(6.) In this section the term transmission includes any case of apparent transmission in consequence of the change of name of the stockholder, although the actual ownership of the stock may remain unaltered.

Dividends.

Payment of dividends.

36. The local authority may pay by the registrar the dividends on stock, and such payments shall be made by warrant only.

37. The local authority or the registrar shall not be required to allow any executors or administrators to receive any dividend on stock held by their testator or intestate until the confirmation or probate of the will or the letters of administration has or have been left with the local authority or the registrar for registration. Dividends to executors, &c.

38. The local authority or the registrar, before allowing the receipt of any dividend on any stock, may, if the circumstances of the case appear to them or him to make it expedient, require evidence of the title of any person claiming a right to receive the dividend, and that evidence shall be a statutory declaration of competent persons, or of such other nature as the local authority or the registrar may require. Evidence of title.

39.—(1.) Where more persons than one are registered as joint holders of any stock, any one of them may give an effectual receipt for any dividend thereon, unless notice to the contrary has been given to the local authority or the registrar by any other of them. Dividends to joint holders.

(2.) Where stock is standing in the name of a minor, infant, or person of unsound mind jointly with any person not under legal disability, a power or letter of attorney for receipt of the dividends on the stock shall be sufficient authority in that behalf, if given under the hand and seal of the person not under disability attested by one or more witnesses, but the local authority or the registrar before acting on the power or letter of attorney may, if they or he think fit, require proof to their or his satisfaction of the alleged minority, infancy, or unsoundness of mind by a statutory declaration of one or more competent persons.

40.—(1.) Where a stockholder desires to have his dividends sent to him by post, he may make a request for that purpose to the local authority or the registrar in writing, signed by him in a form approved by the local authority, and shall give to the local authority or the registrar an address in the United Kingdom or in the Channel Islands or the Isle of Man, to which the letters containing the warrants are from time to time to be sent. Dividend warrants by post.

(2.) The posting by the local authority or the registrar of a letter containing a dividend warrant, addressed to a stockholder at his request, at the address so given by him, shall, as respects the liability of the local authority, and of the registrar, be equivalent to the delivery of the warrant to the stockholder himself.

(3.) Every warrant so sent by post shall be deemed a cheque, and the local authority and the registrar shall, in relation thereto, be deemed a banker within the Bills of Exchange Act, 1882. 45 & 46 Vict. c. 61.

Stock Certificates with Coupons to Bearer.

41.—(1.) On demand of a stockholder, the local authority or the registrar may, if they so resolve, issue to the stockholder a stock certificate to bearer, that is to say, a certificate of title to his stock, or any part thereof, entitling the bearer to the stock therein specified, and transferable by delivery with coupons entitling the Provisions respecting stock certificates with coupons to bearer.

bearer of the coupons to the dividends on the stock, but so that no such certificate or coupons shall give a title to dividends beyond the time limited for redemption of the stock.

(2.) A stock certificate to bearer shall not be issued in respect of any sum of stock other than ten pounds or a multiple of ten pounds.

(3.) No trustee shall apply for, purchase, take, or hold a stock certificate to bearer unless he is in express words authorised to do so by the instrument creating his trust, and any contravention of this provision by a trustee shall be deemed a breach of trust, but this provision shall not impose on the local authority or the registrar an obligation to inquire or to take notice whether a person applying for or holding a stock certificate to bearer is or is not a trustee, or subject the local authority or the registrar to any liability in case of their or his, with or without notice, issuing to a trustee a stock certificate to bearer, or invalidate any stock certificate to bearer issued.

(4.) Where a stock certificate to bearer is outstanding the stock represented thereby shall cease to be transferable in books or by deed under and according to the provisions of this Act.

(5.) The bearer of a stock certificate to bearer may on delivery up to the local authority or the registrar of the certificate, and of all unpaid coupons belonging thereto, require to be entered in the stock register as the holder of the stock described in the certificate under which he derives title, and thereupon the stock shall be re-entered in the register as transferable, and shall become and again be transferable in the stock transfer books or by deed, as the case may require, and shall, as regards the mode of payment of the dividends thereon, be in the like condition as if no stock certificate to bearer had been issued in respect thereof.

(6.) The coupons issued with a stock certificate to bearer shall comprise the dividends to be paid in respect of the stock therein specified for such period as the local authority approve.

(7.) At the end of that period fresh coupons may be issued for such further period as the local authority approve, and so for successive periods during the continuance in force of the stock certificate, but the local authority or the registrar may, in lieu of issuing fresh coupons in respect of any stock certificate, give in exchange a fresh stock certificate with coupons.

(8.) Payment to the bearer of a coupon of the amount expressed therein shall be a full discharge to the local authority, and to the registrar from all liability in respect of that coupon, and the dividend represented thereby.

(9.) Where any bank is the registrar, coupons shall be payable at the chief establishment of the bank at the expiration of three clear days from the day of presentation, and at any branch establishment of the bank situate more than ten miles from the chief establishment at the expiration of five clear days from the day of presentation.

(10.) If a stock certificate to bearer or coupon is worn out or damaged the local authority or the registrar on production and

delivery up thereof may cancel it and issue a new certificate or coupon.

(11.) If a stock certificate to bearer or coupon is lost or destroyed the local authority or the registrar may issue a new certificate or coupon on receiving indemnity to the satisfaction of the local authority against the claims of all persons deriving title under the certificate or coupon lost or destroyed.

(12.) All coupons issued under this Act in respect of any stock certificate to bearer shall for the purposes of the Acts relating to stamp duties be deemed to have been attached to and issued with such stock certificate.

(13.) Stock specified in a stock certificate to bearer shall be charged on the same securities and be subject to the same powers of redemption and other powers, and save as regards the mode of transfer and of payment of dividends thereon, and save so far as a stock certificate to bearer is a negotiable instrument, shall be subject to the same incidents in all respects as if that stock had continued to be registered in the stock register as transferable in books or by deed.

General.

Nature of stock: notice of trusts.

42.—(1.) Stock is personal property.

(2.) Stock is not liable to foreign attachment by the custom of London or otherwise.

(3.) No notice of any trust, express, implied, or constructive, in respect of any stock or of any stock certificate to bearer or coupon shall be entered in the stock register or in any other book kept by the local authority or the registrar, or be receivable by the local authority or the registrar, or affect the local authority through the registrar or otherwise, but this provision shall not prevent any stockholder from being described as a trustee or as possessing any official character.

Judicial factor.

43.—(1.) If at any time the local authority for two months after demand in writing fail to pay any principal sum or dividend due on any stock, the person entitled thereto may apply to the Court of Session in a summary way for the appointment of a judicial factor, and the court may, if it thinks fit, appoint a judicial factor on such terms as it thinks fit.

(2.) The judicial factor shall have the like power of collecting, receiving, recovering, and applying all money which ought to be paid under this Act into the loans fund, and of assessing and recovering all rates (including the guarantee rate) for the purpose of obtaining the same as the local authority or any officer thereof would or might have, and such other powers and such duties as the court thinks fit, and shall apply all money so collected after payment of expenses and costs as the court directs for the purposes of this Act.

(3.) The court may at any time discharge the judicial factor, and shall have full jurisdiction over him and all persons interested in his acts.

Holding of stock by trustees

44.—(1.) Trustees or other persons for the time being authorised to invest money in the mortgages, debentures, or debenture stock of any railway or other company shall, unless the contrary is provided by the instrument authorising the investment, have the same power of investing money in stock issued under the provisions of this Act (other than stock for the time being represented by a stock certificate to bearer) as they have of investing it in the mortgages, debentures, or debenture stock aforesaid.

(2.) Provided that when two or more persons are successively interested in money left subject to a trust no investment thereof shall be made in stock at a price exceeding the redemption value of the stock unless the instrument creating the trust shall otherwise expressly provide.

Protection of holders of stock.

45. A person taking or holding stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within any statutory borrowing power of the local authority or otherwise in accordance with this Act, or whether or not the local authority or any meeting thereof was properly constituted or convened, or whether or not the proceedings at any meeting of the local authority were legal or regular, or to see to the application of any money raised by stock, or be answerable for any loss or misapplication thereof.

Annual returns by treasurers, &c. to registrar.

46. Within one month after the fifteenth day of May in each year the treasurer, or other financial officer charged with the administration of each statutory borrowing power, shall transmit to the registrar a certificate of the amount of each such borrowing power, and of the extent to which the same has been exercised as at the said fifteenth day of May, and the registrar shall, by examination of the books kept in respect of the several statutory borrowing powers, satisfy himself of the correctness of such certificates, and report thereon to the first meeting of the local authority held thereafter, transmitting with his report an abstract showing the aggregate borrowing powers of the local authority and the extent to which the same have been exercised; and a copy of such report and abstract, verified as may be prescribed, shall be sent to the Secretary for Scotland along with the return provided for in the immediately succeeding section, and such report and abstract shall be deemed to be part of such return.

Annual return to Secretary for Scotland.

47.—(1.) Once in every year at a time appointed by the Secretary for Scotland the local authority shall send to the said Secretary an abstract of the accounts of the local authority relating to stock and the loans fund, in a form prescribed by the Secretary for Scotland, and verified by a statutory declaration of two members and the clerk of the local authority if required by the Secretary for Scotland.

(2.) In case of wilful default therein by the local authority the local authority shall on each occasion be liable to a fine not exceeding two hundred pounds and in case of wilful default therein by the said clerk he shall on each occasion be liable to a fine not exceeding twenty pounds, and every fine under this section

shall be recoverable summarily on the prosecution of the Lord Advocate and not otherwise.

(3.) If by any such abstract or otherwise it appears to the Secretary for Scotland that the local authority have failed to comply with any requisition of this Act in relation to any payment application or investment or otherwise in relation to stock or the loans fund the Secretary for Scotland may, notwithstanding any proceeding for the recovery of any fine or any other proceeding taken by the said Secretary, by order require the local authority to make good the default within a time therein limited; and such order may, if need be, be enforced by the Court of Session on the application of the Lord Advocate.

Unclaimed dividends.

48.—(1.) If at any time any dividend on any stock is unclaimed at the time for payment thereof, the same shall, nevertheless, on demand at any subsequent time whatsoever be paid to the person showing his right thereto, but without interest in the meantime.

(2.) Where any dividend remains unclaimed for five years from the time for payment thereof, the local authority shall cause notice thereof to be sent by post in a registered letter addressed to the stockholder named in their books by the description, and at the address therein appearing, and so at the expiration of three other successive periods of five years.

(3.) At the end of every successive period of five years from the day when the first dividend becomes payable on stock first issued after the passing of this Act, the local authority shall publish an advertisement in a newspaper circulating in the district of the local authority stating what, if any, dividends on stock other than those falling due at the then last half-yearly or other day of payment, are then unclaimed, and the names and addresses appearing in the stock register of the holders of the stock on which the dividends are unclaimed.

(4.) At the end of every successive period of ten years from the day when the first dividend becomes payable on stock first issued after the passing of this Act, the local authority, unless it has been otherwise agreed between them and the registrar may require the registrar to repay to them all dividends unclaimed during that period and then in his hands and the local authority shall pay the same into the loans fund and may deal therewith as they are by this Act empowered to deal with money paid into the loans fund as interest on cash balances received by them without prejudice nevertheless to the rights of any person to those dividends.

Saving for power to borrow otherwise.

49. Nothing in this Act shall affect any power of the local authority to raise otherwise than by stock any money which they do not think fit to raise by stock but whenever from time to time after the date of the first creation of stock the local authority raise money otherwise than by stock they shall cause to be given to each lender of money so raised notice in writing signed by the clerk or other authorised officer of the local authority of the equality of charge which stock has by virtue of this Act.

Saving for power of revocation.

50. Notwithstanding anything in this Act, the local authority may, with the consent of the Secretary for Scotland, revoke at any time, in whole or in part, any resolution for creation of stock theretofore passed by the local authority, if and as far as the same has not been acted on by the issue of stock thereunder.

Saving for other obligations.

51. Except as in this Act expressly provided, nothing in this Act shall relieve the local authority from any obligation imposed on them in relation to any statutory borrowing power by any Act of Parliament, under or by which that power for the time being exists, or is regulated.

Saving for power to sell lands, &c.

52.—(1.) Nothing in this Act shall affect any power or duty of the local authority to sell, lease, or otherwise dispose of any lands and heritages or property of the local authority, or to apply any purchase money or other money arising thereby in discharge of any charge thereon or the revenues thereof other than the charge of stock, or affect any claim of any person under such first-mentioned charge.

(2.) Such lands and heritages or property shall in the hands of the purchaser or other person taking the same under the sale lease or other disposition be by virtue of this Act absolutely freed from the charge of stock, and he shall not be concerned to see to the application of that purchase money or other money or be answerable for any loss or mis-application thereof.

Saving for existing securities.

53. Nothing in or done under this Act shall affect any security or charge created or granted or payable by the local authority before and subsisting at the date of the first creation of any stock, and the local authority shall whenever required by the holder of any security or charge aforesaid apply all such money, do all such acts, exercise all such powers, collect all such money, and levy all such rates as they would or ought to have applied, done, exercised, collected, and levied, for his benefit and security, if this Act had not been enacted.

Consents to exercise of powers when unnecessary.

54. Save as in this Act expressly provided a local authority shall not require to obtain any consents before exercising the powers conferred by this Act.

Forgery.

55.—(1.) Stock issued under the provisions of this Act shall be deemed capital stock of a body corporate within the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty (chapter ninety-eight) "to consolidate and "amend the Statute Law of England and Ireland relating to "Indictable Offences by Forgery," as amended and extended to Scotland by the Forgery Act, 1870.

33 & 34 Vict. c. 58.

(2.) A stock certificate to bearer and a coupon connected therewith shall be deemed a stock certificate and coupon within the Forgery Act, 1870.

Orders of Secretary for Scotland.

56. Any order of the Secretary for Scotland under this Act may contain such directions as the Secretary for Scotland thinks necessary or proper for giving effect thereto, and shall be enforceable

by the Court of Session on the application of the Lord Advocate, and may be from time to time cancelled or varied by the Secretary for Scotland as the circumstances of the case may require, but the Secretary for Scotland shall not make any such order without first hearing the local authority and others interested, if desirous of being heard, which hearing may be in the form of a public inquiry with or without a published report, or in such other form as the Secretary for Scotland, having regard to the circumstances, thinks just and expedient, and the order may direct as to the costs of the hearings, inquiries, and other proceedings to which this section relates, and as to the parties by whom, or the rates out of which, such costs shall be paid.

Regulations by bank.

57. Where a bank are the registrar, they may, with the sanction of the local authority, from time to time issue any forms that may be required for carrying into effect the provisions of this Act, and may also from time to time make any regulations that are not inconsistent with this Act relative to the following things, and, when made, may alter, vary, or repeal any such regulations, and make other regulations instead thereof or in addition thereto and any such regulations for the time being in force shall be duly observed:

(*a.*) The period for which coupons are to be given:

(*b.*) The mode in which the bank are to act in issuing stock certificates to bearer, or entering in the transfer books the bearers of stock certificates to bearer:

(*c.*) The mode of proving the title of, or identifying any person applying for a stock receipt or stock certificate or stock certificate to bearer:

(*d.*) With respect to anything necessary for carrying into effect the provisions of this Act which relate to or affect the bank.

Forms.

58. The forms given in the schedule may be used for the purposes therein indicated, and the same or forms to the like effect with such variations or additions as circumstances require, shall be effectual for those purposes.

Fees.

59.—(1.) Fees not exceeding those specified in the schedule may be taken by or on behalf of the local authority in the cases therein mentioned.

(2.) The proceeds of fees shall be paid by the local authority into the loans fund, and shall be applied in reduction of contributions out of the local authority revenues payable into the loans fund in respect of dividends on such portions of stock as the local authority, having regard to the cases in which the fees are paid, determine.

Expenses.

60.—(1.) The expenses incurred by the local authority in or about the creation and issue of any portion of stock, including any sum paid by them for composition for stamp duty thereon, and any other expenses, being, in their judgment, properly chargeable to capital, shall be deemed money raiseable under the statutory borrowing power in exercise whereof that portion of stock is issued.

(2.) Expenses of book-keeping and management, and other current expenses from time to time incurred by the local authority in the execution of this Act shall be defrayed as the ordinary expenses of the local authority are or may be defrayed.

SCHEDULE.

Section 58.

FORMS.

(A.)

RESOLUTIONS ON CREATION OF STOCK.

County, *or* burgh, *or as the case may be*, of [ ].

At a meeting of the [ ] of the [ ] of [ ] held on [the day of 189] in the [ ].

Present:

Resolved first—

That under the authority and subject to the provisions of the Local Authorities Loans (Scotland) Act, 1891, the [ ] do hereby in exercise of their several statutory powers create stock to be called [ ] redeemable stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding [ ] pounds:—

A. For raising the following sums (amounting in the aggregate to the sum of pounds which has not been raised) that is to say:—

(1.) The sum of pounds on account of the money which the [ ] have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for [*here specify objects*]:

(2.) The sum of pounds on account of the money which the [ ] have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for [*here specify objects*]:

(3.) The sum of pounds on account of the money which the town council have authority to raise by borrowing in respect of the common good of the burgh under the order of the Secretary for Scotland dated the day of 189 .

B. For raising instead of reborrowing the sum of pounds required by the [ ] for the purpose of paying off when due sums amounting to pounds which will fall due before the [*insert date*] being a portion of their debts now subsisting on the security of outstanding securities granted by the [ ] for raising money for the purposes of the following Acts (that is to say):—

and which sums the [ ] are under those Acts authorised to reborrow.

C. For raising the sum of pounds for repaying the amount temporarily borrowed by the [ ] from [ ] in order to enable the [ ] to meet sums which amount to pounds being a portion of their debt secured on outstanding securities granted by the [ ] for raising money for the purposes of the following Acts (that is to say) :—

and which sums the [ ] are under those Acts authorised to reborrow.

D. For raising the sum of pounds for paying off or redeeming statutory securities granted by the [ ] under the following Acts and now outstanding (that is to say) :—

E. For the purpose of issuing stock in substitution for statutory securities granted by the [ ] under the following Acts and now outstanding (that is to say) :—

Resolved secondly—

That such stock shall be issued at the price and shall bear the dividends and be transferable in the manner herein-after specified (that is to say) :—

A. The minimum price of issue to be [£] per centum, the first dividend to be payable on the [*insert date*].

B. Tenders for stock to be made to the . A deposit of five per centum on the amount of stock tendered for to be paid at [ ] at the time of the delivery of the tender.

C. The dates for the further payments on account of the said tenders when accepted to be as follows :—

In case of default in the payment of any instalment at its proper date the deposit and instalments previously paid will be liable to forfeiture

D. Dividends at £ per centum per annum payable [half-yearly, or at such other period as the may fix].

E. Dividends on the total amount of stock (calculated from the 189) to be payable on the 189 .

F. Scrip certificates to bearer with coupons attached for the dividends payable 189 and 189 to be issued in exchange for the provisional receipts.

G. In the event of the receipt of tenders for a larger amount of stock than that proposed to be issued at or above the minimum price the tenders at the lowest price accepted to be subject to proportionate diminution.

H. Stock to be issued in sums of not less than £10.

J. Stock to be transferable in books and not by deed. (*See, however, Clause* 33.)

Resolved thirdly—

That such stock shall be redeemable as follows: [*State terms*].

Resolved fourthly—

That an agreement be entered into with the Commissioners of Inland Revenue for the payment to them of composition under the provisions of the Customs and Inland Revenue Act, 1887, for the stamp duty on transfers of stock issued under the foregoing resolutions.

(B.)

STOCK RECEIPT.

[ ] REDEEMABLE STOCK.

(£ PER CENT.)

Transfer days:

Monday,
Tuesday,
Wednesday,
Thursday,
Friday,

Holidays excepted.

RECEIVED this day of 189 of

herein-after called the said transferee

the sum of

being the consideration for interest or share in the [ ] redeemable stock (£ . *s.* per cent.) transferable at the , and all my property and interest in, and right to, the same, and the dividends thereon by

this day transferred unto the said transferee.

Witness hand

Witness

☞The Proprietors to protect themselves from fraud are recommended to accept by themselves or their attorneys all transfers made to them.

£ s. d.

[Indorsement.]

NOTICE TO HOLDERS OF [ ] REDEEMABLE STOCK.

(£ PER CENT.)

PAYMENT OF DIVIDENDS.

Dividends are due on [ ] unless the [ ] of either of these months falls on a Sunday, in which case the dividends will be payable on the following day.

Dividends will be paid in one of the following modes:—

I. To the stockholders personally, or to their attorneys, at the [ ].

N.B.—Stockholders may arrange for the receipt of their dividends, free of charge, at any of the *country* branches on application to the agent.

II. By transmission of dividend warrants by post at the risk of the stockholder under the following regulations :—

1. Any stockholder residing within the United Kingdom or in the Channel Islands or the Isle of Man who desires to have his dividend warrant sent to his address by post, must fill up a form of application, to be obtained at the bank or at any of its branches.
2. In the case of joint accounts, the application must be signed by all the members of the account, directing the warrant to be sent to one of them at a given address.
3. Post dividend warrants will be crossed *& Co.* and will only be payable through a banker. They will be drawn to the order of the stockholder and must be indorsed.

☞ Stockholders whose warrants are sent by post should give notice to the bank if they are not received on the day on which they ought to be delivered, but need not acknowledge those that arrive in due course.

STOCK CERTIFICATES TO BEARER.

Stock certificates to bearer of the denominations of [£10 or any multiple of £10] with coupons for the dividends attached may be obtained in exchange for inscribed stock except in the case of stock held upon any trust.

(C.)

STOCK CERTIFICATE.

County, *or* burgh, *or as the case may be*, of [ ].

Number

This is to certify that *A.B.* of [ ] is the proprietor of [ ] pounds of [ ] redeemable stock subject to the Acts of Parliament relating thereto.

Given under the common seal of the [ ] this [ ] day of [ ] 18 [ ].

[ ] Town Councillor, *or as the case may be.*

[ ] Town Councillor, *or as the case may be.*

[ ] Registrar.

(D.)

TRANSFER IN BOOKS.

[ ] REDEEMABLE STOCK.

(£ PER CENT.)

No.

Entered by

this day of in the year one thousand eight hundred and do assign and transfer interest or share in the [ ] redeemable

Witness to the identity of

stock (£ per cent.) transferable at the and all my property and interest in and right to the same and the dividends thereon unto executors administrators or assignees. Witness hand

£	s.	d.

Witness

do freely and voluntarily accept the above stock transferred to

Witness

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

[ ] the day of 189

From *A.B.* and *C.D.* [the registered stockholders in the bank books]

£_____ [ ] REDEEMABLE STOCK

(£ per cent.)

To *G.H.* (the intended attorney)

Examined by Dr. fol. Cr. fol. Transfer book.

Posted by Posted by

(F.)

POWER OF ATTORNEY FOR SALE AND TRANSFER AND FOR RECEIPT OF DIVIDENDS.

[ ] Account.

[ ] REDEEMABLE STOCK.

Acceptance sale of £ and dividends.

We

our attorneys and attorney for us and in our name and on our behalf—

First—to accept all transfers made or to be made to us of any sum of :

[ ] REDEEMABLE STOCK.

Secondly—to sell and transfer all or any part of the sum of said stock standing in our name in the books of the [ ]:

Thirdly—to receive and give receipts for all dividends or payments due or to become due on any sum of the said stock from time to time standing in our name in the books of the [ ]

and also—to do whatever is necessary or proper to be done for the purposes aforesaid, or any of them.

In witness whereof

For further instructions see other side.

[Indorsement.]

Instructions for Executing the within Letter of Attorney.

[ ] Account.

The date must be inserted in words and not in figures.

The execution must be attested by [two credible witnesses who are] not members of the local authority and who must add [their addresses and their qualities, professions or occupations.]

A witness resident in a town must give the No. of the house as well as the name of the street.

If clerks or servants are witnesses they must give the names and addresses of their employers.

When a witness is a female she must state whether she is a spinster, wife, or widow; and if a wife she must give her husband's name, address and quality, profession or occupation.

A wife is not a valid witness to the execution of this letter of attorney when her husband's name appears in the letter as attorney or transferee.

If any alteration, interlineation, or erasure be made in this letter of attorney, it must be particularly stated in the attestation, subscribed to by the witnesses, that such alteration, interlineation or erasure was made previously to the execution of the letter.

I demand to act by this letter of attorney this day of 18 .

Witness

(G.)

Deed of Transfer.

County, *or* burgh, *or as the case may be*, of [ ].

I *A.B.* of [ ] in consideration of the sum of [ ] pounds paid to me by *C.D.* of [ ] (herein-after called the said transferee) do hereby transfer to the said transferee the sum of [ ] pounds [ ] redeemable stock standing [*or* part of the stock standing] in my name in the books of the [ ] of [ ] to hold unto the said transferee his executors administrators and assignees [*or* successors and assignees] subject to the several conditions on which I hold the same at the time of the execution hereof, and I the said transferee do hereby agree to take the said stock subject to the same conditions.

As witness our hands and seals the [ ] day of [ ] 189 .

Witness

(H.)

DIVIDEND WARRANT.

[ ] REDEEMABLE STOCK.

(£ PER CENT.)

To the cashier of the [ ].

Pay to the bearer the sum of _____

_____

For one [ ] of a year's dividend on the sum of £ [ ] redeemable stock (£ per cent.) due 18 . Less property tax at *d.* per £

I do hereby acknowledge to have received of the [ ] the above-mentioned sum in full payment for one [ ] of a year's dividend due as aforesaid.

Witness my hand this 189 .

Witness

_____

(I.)

DIVIDEND WARRANT BY POST.

(1.)

[ ] REDEEMABLE STOCK.

(£ PER CENT.)

REQUEST FOR TRANSMISSION OF DIVIDEND WARRANTS BY POST.

To the

Amount. "my" or "our." A sum of £ [ ] redeemable stock (£ per cent.) is now standing in name as follows:—

Names, addresses, and descriptions as recorded in the bank books.

_____

_____

_____

_____

"I" or "we." As the person entitled to the dividends upon the above-mentioned amount of stock hereby authorise the [ ] of the [ ] for the time

"myself" or "our nominee." being in the name of to draw upon the [ ] for the amount of the dividends due and to become due on the said amount of stock or on the amount for the time being standing in

"my" or "our." name:

"I" or "we." "my" or "our."

And hereby request the said [ ] to send through the Post at risk, and until further notice the warrants so drawn to—

If the account is a sole one, insert here the name and address of the stockholder: If the account is a joint one, insert here the name and address of one of the stockholders, as nominee.

Name _____

Present address _____

_____

SIGN HERE.

In the case of joint stockholders or of co-executors all must sign.

_____

_____

_____

_____

Date _____ 189 .

[On second half-sheet of same Form.]

This half-sheet is to be retained by the stockholder. Reference to it will often save unnecessary correspondence.

NOTICE TO HOLDERS OF [ ] REDEEMABLE STOCK.

(£ per Cent.)

Transmission of Dividend Warrants by Post.

Dividends upon the above-named stock may be transmitted through the post to the stockholder in sole accounts, and to anyone of the stockholders in joint accounts, at their risk upon a form of request being duly filled up and forwarded to the [ ]. (Forms are obtainable at the [ ] and at any of its branches.)

N.B. This arrangement does not apply to stockholders whose addresses are beyond the United Kingdom, the Channel Islands, and the Isle of Man.

Persons receiving dividends under letter of attorney cannot have the warrants for such dividends sent to them by post.

A separate form must be used for each separate holding of stock.

When forwarding a form of request, care should be taken to state the number of overdue dividends, if any.

Dividends are payable on [ ].

When the [ ] happens on a Sunday, the dividends are not payable until the [ ].

Forms of request may be delivered at the [ ] at any date, either by hand or through the post, but when received between the day on which the balance for a dividend is struck and the day on which the dividend is payable, the warrants for such next dividend will be forwarded as soon as possible, but the [ ] will not guarantee their being posted on the day before the dividend is payable.

For the dividend payable [ ] the balance is struck on or about the [ ].

For the dividend payable [ ] the balance is struck on or about the [ ].

For the dividend payable [ ] the balance is struck on or about the [ ].

For the dividend payable [ ] the balance is struck on or about the [ ].

Warrants for overdue dividends will be forwarded as promptly as possible, but not necessarily by return of post.

Any change of address of the stockholder in sole accounts, or of the nominee in joint accounts, should be notified at once to the [ ]. When any such notification reaches the [ ] less than a fortnight before the next dividend is due, there may be a delay of a few days in the delivery of the warrant for such next dividend.

In the absence of any notification to the contrary, it will be taken for granted that dividend warrants have duly reached their destination. When they are not received on the correct day, notice should be given to the [ ] without delay.

As postal dividend warrants are made payable to order, they must be indorsed; they are crossed in blank, and consequently are only payable on presentation by a banker. (The [ ] will not undertake to cross postal dividend warrants with the names of particular bankers.)

Instructions to transmit warrants by post remain in force, although the stock may have been added to, or a part sold.

Stockholders selling stock by attorney, if they wish to continue to receive their dividends through the post, should instruct their bankers or brokers to obtain letters of attorney for sale only.

All communications with reference to postal dividend warrants should be addressed to the [ ], and the postage should be prepaid.

(2.)

POST DIVIDEND WARRANT.

[ ] REDEEMABLE STOCK.

(£ PER CENT.)

To the [ ].

Pay to me or my order on demand the sum of

Being one [ ] of a year's dividend at £ per cent. per annum, due on the day of 189 , on the sum of £ [ ] Stock (£ per Cent.)

Less property tax at per £

Accepted for the

[ ].

Per pro

[ ].

The person to whom this warrant is payable must sign his or her name on the back of it.

(K.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

[ ] REDEEMABLE STOCK CERTIFICATE TO BEARER.

DIVIDEND AT £ per CENT. per ANNUM.

£50 A00000

This is to certify that the bearer of this certificate is entitled to fifty pounds [ ] redeemable stock with dividend thereon at the rate of £ per cent. per annum, transferable at the [, pursuant to the Local Authorities Loans (Scotland) Act, 1891.

Dated 189 .
For the [ ],
].

Countersigned
[ ].
A00000 £50

The coupons attached to this certificate are payable at the [ ] or at any of the branches.

When the coupons are exhausted this certificate will be exchanged on presentation at the [ ] for a new certificate with fresh coupons attached.

[*Coupons.*]

5 Div. [ ] [ ] REDEEMABLE STOCK. Coupon for Shillings and Pence (less Income Tax) being Months' Dividend at £ per cent. per Annum. A 00000 Due [ ] on Certificate for FIFTY POUNDS [ ] [ ] STOCK. £0 0 0 *Payable at the* .	5 Div. [ ] STOCK. *Due* [ ] A 00000 £0 0 0	4 Div. [ ] REDEEMABLE STOCK. Coupon for Shillings and Pence (less Income Tax) being Months' Dividend at £ per cent. per Annum. A 00000 Due [ ] on Certificate for FIFTY POUNDS [ ] [ ] STOCK. £0 0 0 *Payable at the* .	4 Div. [ ] STOCK. *Due* [ ] A 00000 £0 0 0
3 Div. [ ] [ ] REDEEMABLE STOCK. Coupon for Shillings and Pence (less Income Tax) being Months' Dividend at £ per cent. per Annum. A 00000 Due [ ] on Certificate for FIFTY POUNDS [ ] [ ] STOCK. £0 0 0 *Payable at the* .	3 Div. [ ] STOCK. *Due* [ ] A 00000 £0 0 0	2 Div. [ ] [ ] REDEEMABLE STOCK. Coupon for Shillings and Pence (less Income Tax) being Months' Dividend at £ per cent. per Annum. A 00000 Due [ ] on Certificate for FIFTY POUNDS [ ] [ ] STOCK. £0 0 0 *Payable at the* .	2 Div. [ ] STOCK. *Due* [ ] A 00000 £0 0 0

FEES.

	£	s.	d.
On original issue of stock receipt or stock certificate	0	2	6
On any new stock certificate	0	2	6
On transfer, including certificate	0	5	0
On any issue of stock certificate to bearer in respect of every ten pounds of stock specified therein	0	0	6
On re-entry in stock-register of stock specified in stock certificate to bearer	0	5	0

CHAPTER 35.

An Act to amend the Bills of Sale Act, 1890.

[21st July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Exemption of securities on imported goods from 41 & 42 Vict. c. 31. and 45 & 46 Vict. c. 43.

1. Section one of the Bills of Sale Act, 1890, shall be amended so as to read as follows: An instrument charging or creating any security on or declaring trusts of imported goods given or executed at any time prior to their deposit in a warehouse, factory, or store, or to their being reshipped for export, or delivered to a purchaser not being the person giving or executing such instrument, shall not be deemed a bill of sale within the meaning of the Bills of Sale Acts, 1878 and 1882.

Short title.

2. This Act may be cited as the Bills of Sale Act, 1891.

CHAPTER 36.

An Act to amend the Law relating to the Salaries and Fees of Consular Officers. [21st July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Salaries of consular officers.

1.—(1.) There may be granted to a consular officer, out of money provided by Parliament, such remuneration and allowance for expenses as may from time to time be fixed by a Secretary of State with the approval of the Treasury.

(2.) Such remuneration and allowance shall be received by a consular officer so long only as he actually discharges the duties of his office: Provided that if a consular officer is absent from

his post with the sanction of the Secretary of State, he may receive the whole or such part of the remuneration or allowance accruing during his leave of absence as the Secretary of State with the approval of the Treasury may by regulation direct.

Power to fix consular fees.

2.—(1.) It shall be lawful for Her Majesty the Queen, by Order in Council, to fix the fees to be taken in respect of any matter or thing done by a consular officer in the execution of his office, and to vary such fees by way of increase or decrease, and to abolish fees, and to create new fees.

(2.) All such fees shall be levied, accounted for, and applied, and may be remitted, in accordance with regulations issued by the Secretary of State with the approval of the Treasury.

(3.) A consular officer shall not, save as may be provided by any Order in Council under this Act, ask for or take any fee or reward for or on account of any act, thing, or service done, performed, or rendered by him in the execution of his office, and if he does, he shall, without prejudice to any other liability, be liable for each offence to a fine not exceeding one hundred pounds, recoverable in the High Court, by information on the part of Her Majesty's Attorney General.

(4.) Tables of the fees which may, for the time being, be taken under any Order in Council issued in pursuance of this Act shall be published and exhibited in a conspicuous manner for the inspection of all persons at the custom houses of the United Kingdom; and a printed copy thereof shall be given by every chief officer of customs, at a port of the United Kingdom, gratuitously to every master of a vessel clearing out of that port who requests the same.

(5.) Every consular officer shall hang up and exhibit in a conspicuous place in his consular office a copy of the table of fees to be taken under any Order in Council issued in pursuance of this Act, and shall permit the same to be inspected by any person interested therein.

Definition of consular officer.

3. In this Act the expression "consular officer" includes consul-general, consul, vice-consul, consular agent, pro-consul, and any person for the time being authorised to perform the duties of consul-general, consul, vice-consul, or consular agent.

Repeal of part of 6 Geo. 4. c. 87.

4. The Act mentioned in the schedule to this Act is hereby repealed to the extent in the third column of that schedule mentioned.

Provided that any Order in Council issued under any enactment repealed by this Act, and in force at the commencement of this Act, shall continue in force as if it had been issued in pursuance of this Act.

Short title.

5. This Act may be cited as the Consular Salaries and Fees Act, 1891.

SCHEDULE.

ACT REPEALED.

Session and Chapter.	Title.	Extent of Repeal.
6 Geo. 4. c. 87. -	An Act to regulate the payment of salaries and allowances to British consuls at foreign ports, and the disbursements at such ports for certain public purposes.	The whole Act so far as unrepealed, except sections ten to fifteen, so far as they relate to any church, hospital, chapel, or burial ground for which, or to the office of any chaplain for whom, provision is being made, at the commencement of this Act, out of money provided by Parliament.

CHAPTER 37.

An Act to carry into effect an International Declaration respecting the North Sea Fisheries, and to amend the Law relating to Sea Fisheries and Salmon and Freshwater Fisheries. [21st July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

BELGIAN DECLARATION AND SEA FISHERIES ACT, 1883.

Confirmation of Declaration.

1. The Declaration set out in the Schedule to this Act (hereinafter referred to as the Scheduled Declaration) is hereby confirmed, and the articles thereof shall be of the same force as if they were enacted in the body of this Act.

Powers of Commission appointed under Declaration.

17 & 18 Vict. c. 104.

2.—(1.) Any commission appointed by the Board of Trade in pursuance of Article One of the Scheduled Declaration shall, for the purpose of its duties, have the same powers as an inspector appointed by the Board of Trade in pursuance of section fourteen of the Merchant Shipping Act, 1854, and sections fifteen and sixteen of that Act shall apply as if the commission were such an inspector.

(2.) Any such commission may take security, in such form as the Board of Trade may by rule prescribe, for the attendance of a witness before a court of justice in Belgium, and any sum which may become due in pursuance of such a security may be recovered in like manner as a sum due in pursuance of a security given under the Summary Jurisdiction Act, 1879.

42 & 43 Vict. c. 49.

Evidence of report or certificate under Article 3 of Declaration.

3. A document purporting to be certified by a Secretary or Assistant Secretary of the Board of Trade to be a report made or certificate given in pursuance of Article Three of the Scheduled Declaration shall be deemed to be such a report or certificate and to have been duly forwarded.

Punishment for violation of Article 4 of Declaration.

46 & 47 Vict. c. 22.

4. If, either within or without the exclusive fishery limits of the British Islands, any person belonging to a British sea fishing boat acts in contravention of Article Four of the Scheduled Declaration, he shall be liable to the like penalty as for a contravention of Articles thirteen to twenty-two of the First Schedule to the Sea Fisheries Act, 1883.

Provided that if the Scheduled Declaration ceases to be binding on Her Majesty, this section shall cease to apply in the case of injuries to the gear or boat of a fisherman being a subject of the foreign State party to the Declaration, but shall nevertheless continue to apply as between British subjects.

Forfeiture for offence against 46 & 47 Vict. c. 22, s. 7.

5. In the event of any contravention of section seven of the Sea Fisheries Act, 1883, on the part of any foreign sea fishing boat, or of any person belonging thereto, any fish or fishing gear found in the boat or shown to have been taken or used by any person belonging to the boat within the exclusive fishery limits of the British Islands shall, on conviction for the offence, be liable to be forfeited.

Construction, title, and commencement of this Part of Act.

48 & 49 Vict. c. 70.

6.—(1.) This Part of this Act shall be construed as one with the Sea Fisheries Act, 1883, and, so far as relates to Scotland and the parts of the sea adjoining Scotland, also as one with the Sea Fisheries (Scotland) Amendment Act, 1885.

(2.) In particular, the powers of making Orders in Council conferred by sections three and twenty-three of the Sea Fisheries Act, 1883, may be exercised for the purposes of this Part of this Act, and section twenty-three of the said Act shall, for the purpose of any such Order, apply as if the Schedule to this Act were the First Schedule to that Act, and the Declaration referred to in this Act were the Convention referred to in that Act.

(3.) The Sea Fisheries Act, 1883, the Sea Fisheries (Scotland) Amendment Act, 1885, and this Part of this Act may be cited collectively as the Sea Fisheries Acts, 1883 to 1891.

(4.) This Part of this Act shall come into force on such day as may be fixed in that behalf by a notice published in the London Gazette.

PART II.

SEA FISHERIES REGULATION ACT, 1888.

Extension of powers of local fisheries committee for making byelaws.

51 & 52 Vict. c. 54.

7. The powers of a local fisheries committee to make byelaws in pursuance of section two of the Sea Fisheries Regulation Act, 1888, shall extend to making byelaws, to be observed within their district, for restricting or prohibiting, either entirely or subject to any exceptions and regulations, the fishing for or taking of all or any specified kinds of sea fish during any period specified in any such byelaw.

Jurisdiction as to offences.

8. Where any offence under the Sea Fisheries Regulation Act, 1888, or under any byelaw made in pursuance thereof, is committed on the sea coast or at sea beyond the ordinary jurisdiction of a court of summary jurisdiction and not on or from a ship or boat, it shall be deemed to have been committed within the body of any county abutting on that sea coast or adjoining that sea, and may be tried and punished accordingly.

Powers of local fisheries committee for enforcement of Sea Fisheries Acts.

9. A local fisheries committee appointed in pursuance of the Sea Fisheries Regulation Act, 1888, may, within their district, enforce the provisions of the Fisheries (Oyster, Crab, and Lobster) Act, 1877, and of any other Act relating to sea fisheries.

Power for county council, &c. to pay or contribute to expenses under 51 & 52 Vict. c. 54.

10. Any county or borough council may, if they think fit, pay or contribute to any expenses incurred by a board of salmon conservators in exercise of their powers under the Sea Fisheries Regulation Act, 1888.

Construction and short title of Part of Act.

11. This Part of this Act shall be construed as one with the Sea Fisheries Regulation Act, 1888, and that Act and this Part of this Act may be cited collectively as the Sea Fisheries Regulation Acts, 1888 and 1891.

PART III.

SALMON AND FRESHWATER FISHERIES.

Power to constitute Stour fishery district.

12.—(1.) The Board of Trade may, if they think fit, issue a certificate forming a fishery district for the river Stour (dividing the counties of Suffolk and Essex), its estuary, and its tributaries, and such waters and coasts as may be declared in the certificate to belong thereto, and may thereby fix the number of conservators to be appointed as a board, and the number of the members of the board of conservators to be appointed by each county in the district, and may make such other arrangements as may seem to the Board necessary or proper in connexion with the formation of the district.

40 & 41 Vict. c. 98. 47 & 48 Vict. c. 11.

(2.) On the issue of a certificate under this section the provisions of the Norfolk and Suffolk Fisheries Act, 1877, and of section eight of the Freshwater Fisheries Act, 1884, shall cease to apply within the district formed by the certificate, and the provisions of the Salmon and Freshwater Fisheries Acts, 1861 to 1886, shall apply therein as if no part of the district were included in the county of Suffolk, and the district so formed shall for all purposes be deemed to be a district formed under the provisions of the said Salmon and Freshwater Fisheries Acts other than the Norfolk and Suffolk Fisheries Act, 1877.

(3.) On the issue of the certificate the certificates of the formation of the Stour (Essex), and Stour (Suffolk) fishery districts, dated the nineteenth day of March one thousand eight hundred and eighty-eight, shall cease to have effect, so, however, that nothing in this section shall affect the validity of anything done or suffered under the certificates, and that all proceedings under the certificates and pending at the date of the issue of the new certificate

may be carried on and completed as if the old certificates were in force.

(4.) Any byelaws made under the Salmon and Freshwater Fisheries Acts, 1861 to 1886, or any of them, and in force within the districts or either of them at the date of the new certificate, shall, notwithstanding any limitation of time for the continuance of such byelaw, continue to be in force until repealed by the board of conservators of the new district, and the board may, if it thinks fit, repeal any such byelaws in manner provided for the repeal of byelaws made under the Freshwater Fisheries Act, 1884. 47 & 48 Vict. c. 11.

(5.) The persons who are at the date of the issue of the new certificate the members of the board of conservators of the Stour (Essex) fishery district shall be the first appointed members representing the county of Essex on the board of the new district, and shall come into office on the issue of the certificate.

PART IV.

General.

13. The powers conferred by the Sea Fisheries Act, 1883, or this Act, or any other Act relating to sea fisheries, or by any Act relating to salmon and freshwater fisheries, upon any authorities or officers to enforce any such Act shall not be construed as limiting or taking away the power of any other person to take legal proceedings for the enforcement of any such Act or of any byelaw made thereunder. Explanation as to power of taking legal proceedings for enforcing Fisheries Acts.

14. This Act may be cited as the Fisheries Act, 1891. Short title.

SCHEDULE.

DECLARATION RESPECTING THE NORTH SEA FISHERIES.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of His Majesty the King of the Belgians, being desirous of simplifying the procedure for the settlement of differences between British and Belgian fishermen in the North Sea outside territorial waters, and of reducing as much as possible the injuries they may sustain from the fouling of their fishing gear, have agreed upon the following provisions :—

ARTICLE I.

Whenever a complaint involving a claim for damages shall be preferred by a fisherman of one of the two countries against a fisherman of the other country, it shall be referred for preliminary inquiry—in Belgium, to a Commission composed of, at least, two officers appointed by the Minister of Railways, Posts, and Telegraphs; in the United Kingdom, to a Commission also composed of, at least, two officers appointed by the Board of Trade; these officers shall hold their inquiry at the place where the allegations of the complainants can most easily be verified.

ARTICLE II.

No complaint shall be transmitted either to the British or to the Belgian Government, as the case may be, unless:—

1. The Commission has recognized it as well founded;

2. Such fishermen as are specified by the Commission engage themselves to appear in person in case they should be summoned to give evidence.

ARTICLE III.

The complaints must be accompanied by—

1. A Report from the Commission of Inquiry;

2. A certificate from this Commission, verifying the ownership of the lost or injured fishing gear;

3. A certificate of an expert nominated (as the case may be), in the United Kingdom by the Board of Trade, in Belgium by the Minister of Railways, Posts, and Telegraphs, and giving an estimate of the damages in money value.

These certificates must be forwarded through the proper diplomatic channel, and shall be received as evidence unless the contrary is proved.

ARTICLE IV.

When a fisherman fouls or otherwise interferes with the fishing gear of another fisherman he shall take all necessary measures for reducing to a minimum the injuries which may result to the gear or to the boat of the other fisherman.

ARTICLE V.

In the Kingdom of Belgium the Tribunal which has cognizance of an infraction of the North Sea Fisheries Convention of the 6th May 1882, or of Article 4 of the present Declaration, shall be empowered to award damages for injury to person or property at the request of the injured party and at the suit of the Official Prosecutor.

The execution of awards of damages shall be effected, on the application of the Official Prosecutor, by the competent Administration, which will advance the costs and recover them from the condemned parties according to the usual process of law in such cases.

In the United Kingdom the Court before which proceedings are taken for the above-mentioned infractions shall be empowered, at the suit of the Official Prosecutor on the request of the injured party, to award damages for injury to person or property, and the Official Prosecutor shall, at his own cost, recover the sum so awarded, or so much thereof as is possible, from the parties liable.

The amount of damages recovered, as stipulated above, shall be remitted free of cost to the injured party through the proper diplomatic channel.

ARTICLE VI.

The High Contracting Parties engage to take, or to propose to their respective Legislatures, the necessary measures for insuring the execution of the present Declaration, and especially for punishing, either by fine or imprisonment, or both, persons who may contravene Article IV.

ARTICLE VII.

The present Declaration shall be ratified, and the ratifications shall be exchanged at Brussels as soon as possible.

ARTICLE VIII.

The present Declaration shall come into force at a date to be agreed upon subsequently by the High Contracting Parties.

It shall remain in force for three years from that date, and in the event of neither of the High Contracting Parties having notified twelve months before the expiry of the said period of three years their intention of terminating it, it shall continue to remain in force for a year, and so on from year to year.

In witness whereof the undersigned Envoy Extraordinary and Minister Plenipotentiary at Brussels of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the undersigned Minister for Foreign Affairs of His Majesty the King of the Belgians, have drawn up the present Declaration in duplicate, and have affixed thereto the seals of their arms.

Done at Brussels, the 2nd May 1891.

(L.S.) VIVIAN.
(L.S.) Le Prince DE CHIMAY.

CHAPTER 38.

An Act to consolidate the Law relating to the Management of Stamp Duties. [21st July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Act.

Act to apply to all stamp duties.

1. All duties for the time being chargeable by law as stamp duties shall be under the care and management of the Commissioners, and this Act shall apply to all such duties and to all fees which are for the time being directed to be collected or received by means of stamps.

Mode of recovering Money received for Duty.

Moneys received for duty and not appropriated to be recoverable in High Court.

2.—(1.) Every person who, having received any sum of money as or for any duty, or any fee collected by means of a stamp, does not apply the money to the due payment of the duty or fee, and improperly withholds or detains the same, shall be accountable for the amount of the duty or fee, and the same shall be a debt from him to Her Majesty, and recoverable as such accordingly.

(2.) The Commissioners may sue out of the High Court in England or Ireland, or of the Court of Session sitting as the Court of Exchequer in Scotland, as the case may require, a writ of summons commanding any such person to deliver an account of every sum of money so received by him, and withheld or detained, and to pay the money to them, together with the costs of the proceedings, or to show cause to the contrary.

(3.) If cause is shown the court shall make such order as to the court seems just.

Sale of Stamps.

Power to grant licences to deal in stamps.

3.—(1.) The Commissioners may, in their discretion, grant a licence to any person to deal in stamps at any place to be named in the licence.

(2.) The licence shall specify the full name and place of abode of the person to whom the same is granted, and a description of every house, shop, or place, in or at which he is authorised to deal in stamps.

(3.) Every person to whom a licence is granted shall give security in the sum of one hundred pounds in such manner and form as the Commissioners shall prescribe, and, if by bond, the bond shall be exempt from stamp duty.

(4.) One licence and one bond only shall be required for any number of persons in partnership, and the licence may at any time be revoked by the Commissioners.

(5.) Every person licensed to deal in stamps shall cause to be visibly and legibly painted and shall keep so painted in letters of not less than one inch in length on some conspicuous place on the outside of the front of every house, shop, or place in or at which he is licensed to deal in stamps, his full name, together with the words "Licensed to sell stamps," and for every neglect or omission so to do shall incur a fine of ten pounds.

Penalty for unauthorised dealing in stamps, &c.

4.—(1.) If any person who is not duly appointed to sell and distribute stamps deals in any manner in stamps, without being licensed so to do, or at any house, shop, or place not specified in his licence he shall for every such offence incur a fine of twenty pounds.

(2.) If any person who is not duly appointed to sell and distribute stamps, or duly licensed to deal in stamps, has, or puts upon his premises either in the inside or on the outside thereof, or upon any board or any material whatever exposed to public view, and whether the same be affixed to his premises or not, any letters importing or intending to import that he deals in stamps, or is licensed so to do, he shall incur a fine of ten pounds.

Provisions as to determination of a licence.

5.—(1.) If the licence of any person to deal in stamps expires or is revoked, or if any person licensed to deal in stamps dies or becomes bankrupt, and any such person at the expiration or revocation of his licence, or at the time of his death or bankruptcy, has in his possession any stamps, such person, or his executor or administrator, or the receiver or trustee or official assignee under his bankruptcy, may, within six months after the expiration or revocation of the licence, or after the death or bankruptcy, as the case may be, bring or send the stamps to the chief office or to one of the head offices.

(2.) The Commissioners may in any such case pay to the person bringing or sending stamps the amount of the duty thereon, deducting therefrom the proper discount, if proof to their satisfaction is furnished that the same were actually in the possession of the person, whose licence has expired or been revoked, or so dying or becoming bankrupt, for the purpose of sale, at the time of the expiration or revocation of the licence, or of his death or bankruptcy, and that the stamps were purchased or procured by that person at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps, or duly licensed to deal in stamps.

Penalty for hawking stamps.

6.—(1.) If any person, whether licensed to deal in stamps or not, hawks or carries about for sale or exchange, any stamps, he shall in addition to any other fine or penalty to which he may be liable incur a fine of twenty pounds.

(2.) In default of payment of the fine, on summary conviction the offender shall be imprisoned for any term not exceeding two months.

(3.) All stamps which are found in the possession of the offender shall be forfeited, and shall be delivered to the Commissioners, to be disposed of as they think fit.

(4.) Any person may arrest a person found committing an offence against this section, and take him before a justice having jurisdiction where the offence is committed, who shall hear and determine the matter.

Postage stamps.

7. Notwithstanding anything in this Act contained, it shall be lawful for any person in the service or employment of the Post Office, without any other licence or authority than this Act to sell postage stamps at any place, and in any manner.

Discount.

8. Upon the sale of stamps such discount shall be allowed to the purchasers thereof as the Treasury direct.

Allowance for Spoiled Stamps.

Procedure for obtaining allowance.

9. Subject to such regulations as the Commissioners may think proper to make, and to the production of such evidence by statutory declaration or otherwise as the Commissioners may require, allowance is to be made by the Commissioners for stamps spoiled in the cases herein-after mentioned; (that is to say,)

(1.) The stamp on any material inadvertently and undesignedly spoiled, obliterated, or by any means rendered unfit for the purpose intended, before the material bears the signature of any person or any instrument written thereon is executed by any party:

(2.) Any adhesive stamp which has been inadvertently and undesignedly spoiled or rendered unfit for use and has not in the opinion of the Commissioners been affixed to any material:

(3.) Any adhesive stamp representing a fee capable of being collected by means of such stamp which has been affixed to material provided that a certificate from the proper officer is produced to the effect that the stamp should be allowed.

(4.) The stamp on any bill of exchange signed by or on behalf of the drawer which has not been accepted or made use of in any manner whatever or delivered out of his hands for any purpose other than by way of tender for acceptance.

(5.) The stamp on any promissory note signed by or on behalf of the maker which has not been made use of in any manner whatever or delivered out of his hands.

(6.) The stamp on any bill of exchange or promissory note which from any omission or error has been spoiled or rendered useless, although the same, being a bill of exchange, may have been accepted or indorsed, or, being a promissory note, may

have been delivered to the payee, provided that another completed and duly stamped bill of exchange or promissory note is produced identical in every particular, except in the correction of the error or omission, with the spoiled bill or note:

(7.) The stamp used for any of the following instruments; that is to say,

(*a.*) An instrument executed by any party thereto, but afterwards found to be absolutely void from the beginning:

(*b.*) An instrument executed by any party thereto, but afterwards found unfit, by reason of any error or mistake therein, for the purpose originally intended:

(*c.*) An instrument executed by any party thereto which has not been made use of for any purpose whatever, and which by reason of the inability or refusal of some necessary party to sign the same or to complete the transaction according to the instrument, is incomplete and insufficient for the purpose for which it was intended:

(*d.*) An instrument executed by any party thereto, which by reason of the refusal of any person to act under the same, or for want of enrolment or registration within the time required by law, fails of the intended purpose or becomes void:

(*e.*) An instrument executed by any party thereto which is inadvertently and undesignedly spoiled, and in lieu whereof another instrument made between the same parties and for the same purpose is executed and duly stamped, or which becomes useless in consequence of the transaction intended to be thereby effected being effected by some other instrument duly stamped:

Provided as follows:—

(*a.*) That the application for relief is made within six months after the stamp has been spoiled or become useless or in the case of an executed instrument after the date of the instrument, or, if it is not dated, within six months after the execution thereof by the person by whom it was first or alone executed or within such further time as the Commissioners may prescribe in the case of any instrument sent abroad for execution or when from unavoidable circumstances any instrument for which another has been substituted cannot be produced within the said period;

(*b.*) That in the case of an executed instrument no legal proceeding has been commenced in which the instrument could or would have been given or offered in evidence, and that the instrument is given up to be cancelled;

(*c.*) That in the case of stamps used for medicines or playing cards, the medicines or cards bearing the stamps are produced to an officer and the stamps are removed therefrom in his presence.

Allowance for misused stamps.

10. When any person has inadvertently used for an instrument liable to duty a stamp of greater value than was necessary, or has

inadvertently used a stamp for an instrument not liable to any duty, the Commissioners may, on application made within six months after the date of the instrument, or, if it is not dated, within six months after the execution thereof by the person by whom it was first or alone executed, and upon the instrument, if liable to duty, being stamped with the proper duty, cancel and allow as spoiled the stamp so misused.

Allowance how to be made.

11. In any case in which allowance is made for spoiled or misused stamps the Commissioners may give in lieu thereof other stamps of the same denomination and value, or if required, and they think proper, stamps of any other denomination to the same amount in value, or in their discretion, the same value in money, deducting therefrom the discount allowed on the purchase of stamps of the like description.

Stamps not wanted may be repurchased by the Commissioners.

12. When any person is possessed of a stamp which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Commissioners may, if they think fit, repay to him the value of the stamp in money, deducting the proper discount, upon his delivering up the stamp to be cancelled, and proving to their satisfaction that it was purchased by him at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps, within the period of six months next preceding the application and with a bonâ fide intention to use it.

Offences relating to Stamps.

Certain offences in relation to dies and stamps provided by Commissioners to be felonies.

13. Every person who does, or causes or procures to be done, or knowingly aids, abets, or assists in doing, any of the acts following; that is to say,

(1.) Forges a die or stamp;

(2.) Prints or makes an impression upon any material with a forged die;

(3.) Fraudulently prints or makes an impression upon any material from a genuine die;

(4.) Fraudulently cuts, tears, or in any way removes from any material any stamp, with intent that any use should be made of such stamp or of any part thereof;

(5.) Fraudulently mutilates any stamp, with intent that any use should be made of any part of such stamp;

(6.) Fraudulently fixes or places upon any material or upon any stamp, any stamp or part of a stamp which, whether fraudulently or not, has been cut, torn, or in any way removed from any other material, or out of or from any other stamp;

(7.) Fraudulently erases or otherwise either really or apparently removes from any stamped material any name, sum, date, or other matter or thing whatsoever thereon written, with the intent that any use should be made of the stamp upon such material;

(8.) Knowingly sells or exposes for sale or utters or uses any forged stamp, or any stamp which has been fraudulently printed or impressed from a genuine die;

(9.) Knowingly, and without lawful excuse (the proof whereof shall lie on the person accused) has in his possession any forged die or stamp or any stamp which has been fraudulently printed or impressed from a genuine die, or any stamp or part of a stamp which has been fraudulently cut, torn, or otherwise removed from any material, or any stamp which has been fraudulently mutilated, or any stamped material out of which any name, sum, date, or other matter or thing has been fraudulently erased or otherwise either really or apparently removed,

shall be guilty of felony, and shall on conviction be liable to be kept in penal servitude for any term not exceeding fourteen years, or to be imprisoned with or without hard labour for any term not exceeding two years.

Making paper in imitation of paper used for stamp duties.

14. Every person who without lawful authority or excuse (the proof whereof shall lie on the person accused)—

(*a.*) makes or causes or procures to be made, or aids or assists in making, or knowingly has in his custody or possession, any paper in the substance of which shall appear any words, letters, figures, marks, lines, threads, or other devices peculiar to and appearing in the substance of any paper provided or used by or under the direction of the Commissioners for receiving the impression of any die, or any part of such words, letters, figures, marks, lines, threads, or other devices, and intended to imitate or pass for the same; or

(*b.*) causes or assists in causing any such words, letters, figures, marks, lines, threads, or devices as aforesaid, or any part of such words, letters, figures, marks, lines, threads, or other devices and intended to imitate or pass for the same, to appear in the substance of any paper whatever,

shall be guilty of felony, and shall on conviction be liable to be kept in penal servitude for any term not exceeding seven years, or to be imprisoned with or without hard labour for any term not exceeding two years.

Possession of paper, plates, or dies used for stamp duties.

15. Every person who without lawful authority or excuse (the proof whereof shall lie on the person accused) purchases or receives or knowingly has in his custody or possession—

(*a.*) any paper manufactured and provided by or under the direction of the Commissioners, for the purpose of being used for receiving the impression of any die before such paper shall have been duly stamped and issued for public use; or

(*b.*) any plate, die, dandy-roller, mould, or other implement peculiarly used in the manufacture of any such paper,

shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned with or without hard labour for any term not exceeding two years.

Proceedings for detection of forged dies, &c.

16. On information given before a justice upon oath that there is just cause to suspect any person of being guilty of any of the offences aforesaid, such justice may, by a warrant under his hand, cause every house, room, shop, building, or place belonging

to or occupied by the suspected person, or where he is suspected of being or having been in any way engaged or concerned in the commission of any such offence, or of secreting any machinery, implements, or utensils applicable to the commission of any such offence, to be searched, and if upon such search any of the said several matters and things are found, the same may be seized and carried away, and shall afterwards be delivered over to the Commissioners.

Proceedings for detection of stamps stolen or obtained fraudulently.

17.—(1.) Any justice having jurisdiction in the place where any stamps are known or supposed to be concealed or deposited, may, upon reasonable suspicion that the same have been stolen or fraudulently obtained, issue his warrant for the seizure thereof, and for apprehending and bringing before himself or any other justice within the same jurisdiction the person in whose possession or custody the stamps may be found, to be dealt with according to law.

(2.) If the person does not satisfactorily account for the possession of the stamps or it does not appear that the same were purchased by him at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps, the stamps shall be forfeited, and shall be delivered over to the Commissioners.

(3.) Provided that if at any time within six months after the delivery any person makes out to the satisfaction of the Commissioners that any stamps so forfeited were stolen or otherwise fraudulently obtained from him, and that the same were purchased by him at the chief office or one of the head offices, or from some person duly appointed to sell and distribute stamps, or duly licensed to deal in stamps, such stamps may be delivered up to him.

Licensed person in possession of forged stamps to be presumed guilty until contrary is shown.

18.—(1.) If any forged stamps are found in the possession of any person appointed to sell and distribute stamps, or being or having been licensed to deal in stamps, that person shall be deemed and taken, unless the contrary is satisfactorily proved, to have had the same in his possession knowing them to be forged, and with intent to sell, use, or utter them, and shall be liable to the punishment imposed by law upon a person selling, using, uttering, or having in possession forged stamps knowing the same to be forged.

(2.) If the Commissioners have cause to suspect any such person of having in his possession any forged stamps, they may by warrant under their hands authorise any person to enter between the hours of nine in the morning and seven in the evening into any house, room, shop, or building of or belonging to the suspected person, and if on demand of admittance, and notice of the warrant, the door of the house, room, shop, or building, or any inner door thereof, is not opened, the authorised person may break open the same and search for and seize any stamps that may be found therein or in the custody or possession of the suspected person.

(3.) All officers of the peace are hereby required, upon request by any person so authorised, to aid and assist in the execution of the warrant.

(4.) Any person who—

(*a.*) Refuses to permit any such search or seizure to be made as aforesaid; or

(*b.*) Assaults, opposes, molests, or obstructs any person so authorised in the due execution of the powers conferred by this section or any person acting in his aid or assistance,

and any officer of the peace who upon any such request as aforesaid, refuses or neglects to aid and assist any person so authorised in the due execution of his powers shall incur a fine of fifty pounds.

Mode of proceeding when stamps are seized.

19. Where stamps are seized under a warrant, the person authorised by the warrant shall, if required, give to the person in whose custody or possession the stamps are found an acknowledgment of the number, particulars, and amount of the stamps, and permit the stamps to be marked before the removal thereof.

As to defacement of adhesive stamps.

20. Every person who by any writing in any manner defaces any adhesive stamp before it is used shall incur a fine of five pounds: Provided that any person may with the express sanction of the Commissioners, and in conformity with the conditions which they may prescribe, write upon or otherwise appropriate an adhesive stamp before it is used for the purpose of identification thereof.

Penalty for frauds in relation to duties.

21. Any person who practises or is concerned in any fraudulent act, contrivance, or device, not specially provided for by law, with intent to defraud Her Majesty of any duty shall incur a fine of fifty pounds.

Miscellaneous.

As to discontinuance of dies.

22. Whenever the Commissioners determine to discontinue the use of any die, and provide a new die to be used in lieu thereof, and give public notice thereof in the London, Edinburgh, and Dublin Gazettes, then from and after any day to be stated in the notice (such day not being within one month after the same is so published) the new die shall be the only lawful die for denoting the duty chargeable in any case in which the discontinued die would have been used; and every instrument first executed by any person, or bearing date after the day so stated, and stamped with the discontinued die, shall be deemed to be not duly stamped:

Provided as follows:

(*a.*) If any instrument stamped as last aforesaid, and first executed after the day so stated at any place out of the United Kingdom, is brought to the Commissioners within fourteen days after it has been received in the United Kingdom, then upon proof of the facts to the satisfaction of the Commissioners the stamp thereon shall be cancelled, and the instrument shall be stamped with the same amount of duty by means of the lawful die, without the payment of any penalty:

(*b.*) All persons having in their possession any material stamped with the discontinued die, and which by reason of the providing of such new die has been rendered useless, may at any time within six months after the day stated in the notice

send the same to the chief office or one of the head offices, and the Commissioners may thereupon cause the stamp on such material to be cancelled, and the same material, or, if the Commissioners think fit, any other material, to be stamped with the new die, in lieu of and to an equal amount with the stamp so cancelled.

Application of Act to excise labels.

23. The provisions of this Act in reference to offences relating to stamps shall apply to any label now or hereafter provided by the Commissioners for denoting any duty of excise, and any label so provided shall be deemed to be included in the term "stamp" as defined by this Act.

Declarations, how to be made.

24. Any statutory declaration to be made in pursuance of or for the purposes of this or any other Act for the time being in force relating to duties may be made before any of the Commissioners, or any officer or person authorised by them in that behalf, or before any commissioner for oaths or any justice or notary public in any part of the United Kingdom, or at any place out of the United Kingdom, before any person duly authorised to administer oaths there.

Mode of granting licences.

25. Any licence or certificate to be granted by the Commissioners under this or any other Act for the time being in force relating to duties may be granted by such officer or person, as the Commissioners may authorise in that behalf.

Recovery of fines.

26. All fines imposed by this Act or by any Act for the time being in force relating to stamp duties charged in respect of medicines or playing cards may be proceeded for and recovered in the same manner and in the case of summary proceedings with the like power of appeal as any fine or penalty under any Act relating to the excise.

Definitions.

27. In this Act, unless the context otherwise requires,—

The expression "Commissioners" means Commissioners of Inland Revenue:

The expression "officer" means officer of Inland Revenue:

The expression "chief office" means chief office of Inland Revenue:

The expression "head offices" means the head offices of Inland Revenue in Edinburgh and Dublin:

The expression "duty" means any stamp duty for the time being chargeable by law:

The expression "material" includes every sort of material upon which words or figures can be expressed:

The expression "instrument" includes every written document:

The expression "die" includes any plate, type, tool, or implement whatever used under the direction of the Commissioners for expressing or denoting any duty, or rate of duty, or the fact that any duty or rate of duty or penalty has been paid, or that an instrument is duly stamped, or is not chargeable with any duty or for denoting any fee, and also any part of any such plate, type, tool, or implement:

The expressions "forge" and "forged" include counterfeit and counterfeited:

The expression "stamp" means as well a stamp impressed by means of a die as an adhesive stamp for denoting any duty or fee:

The expression "stamped" is applicable as well to instruments and material impressed with stamps by means of a die as to instruments and material having adhesive stamps affixed thereto:

The expressions "executed" and "execution," with reference to instruments not under seal, mean signed and signature:

The expression "justice" means justice of the peace.

Repeal, Commencement, Short Title.

Repeal.

28. The enactments specified in the schedule to this Act are hereby repealed from and after the commencement of this Act to the extent specified in the third column of that schedule.

Provided that all bonds and securities given under or in pursuance of any enactment hereby repealed shall have the same effect as if they had been given in pursuance of this Act.

Commencement.

29. This Act shall come into operation on the first day of January, one thousand eight hundred and ninety-two.

Short title.

30. This Act may be cited as the Stamp Duties Management Act, 1891.

Section 28.

SCHEDULE.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
39 & 40 Geo. 3. c. 72.	An Act to amend several laws relating to the duties on stamped vellum, parchment, and paper.	The whole Act.
42 Geo. 3. c. 56.	An Act to repeal an Act passed in the twenty-fifth year of the reign of His present Majesty for granting stamp duties on certain medicines and for charging other duties in lieu thereof, and for making effectual provision for the better collection of the said duties.	Sections eighteen, twenty-five, and twenty-eight.
52 Geo. 3. c. 150.	An Act to amend an Act passed in the forty-fourth year of His Majesty's reign for granting stamp duties in Great Britain, so far as regards the duties granted on medicines and on licences for vending the same.	Section two, from "to be recovered," to the end of the section, and three.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
55 Geo. 3. c. 184.	An Act for repealing the stamp duties on deeds, law proceedings, and other written or printed instruments, and the duties on fire insurances, and on legacies and successions to personal estate upon intestacies now payable in Great Britain, and for granting other duties in lieu thereof.	Sections fifty-two and fifty-three.
3 & 4 Vict. c. 96.	An Act for the regulation of the duties of postage.	Sections nineteen, twenty-one from "and all" to the end of the section and twenty-two to thirty.
13 & 14 Vict. c. 97.	An Act to repeal certain stamp duties, to grant others in lieu thereof, and to amend the laws relating to the stamp duties.	The whole Act.
23 & 24 Vict. c. 111.	An Act for granting to Her Majesty certain duties of stamps, and to amend the law relating to the stamp duties.	Section twenty-two.
25 & 26 Vict. c. 22.	An Act to continue certain duties of Customs and Inland Revenue for the service of Her Majesty, and to grant, alter, and repeal certain other duties.	Section forty-one.
30 & 31 Vict. c. 23.	An Act to grant and alter certain Duties of Customs and Inland Revenue, and for other purposes relating thereto.	Sections seventeen and eighteen.
33 & 34 Vict. c. 97.	The Stamp Act, 1870 - -	Section twenty-five, so far as it relates to provision (3) and sections twenty-seven and twenty-eight.
33 & 34 Vict. c. 98.	The Stamp Duties Management Act, 1870.	The whole Act.
38 & 39 Vict. c. 22.	The Post Office Act, 1875 - -	The second, fourth, and fifth paragraphs of section six.
38 & 39 Vict. c. 23.	The Customs and Inland Revenue Act, 1875.	Section thirteen.
45 & 46 Vict. c. 41.	The Customs and Inland Revenue Act, 1882.	Sub-section three of section five.
45 & 46 Vict. c. 72.	The Revenue Friendly Societies and National Debt Act, 1882.	Section fifteen.

CHAPTER 39.

An Act to consolidate the Enactments granting and relating to the Stamp Duties upon Instruments and certain other enactments relating to Stamp Duties.

[21st July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

REGULATIONS APPLICABLE TO INSTRUMENTS GENERALLY.

Charge of Duty upon Instruments.

Charge of duties in schedule.

1. From and after the commencement of this Act the stamp duties to be charged for the use of Her Majesty upon the several instruments specified in the First Schedule to this Act shall be the several duties in the said schedule specified, which duties shall be in substitution for the duties theretofore chargeable under the enactments repealed by this Act, and shall be subject to the exemptions contained in this Act and in any other Act for the time being in force.

All duties to be paid according to regulations of Act.

2. All stamp duties for the time being chargeable by law upon any instruments are to be paid and denoted according to the regulations in this Act contained, and except where express provision is made to the contrary are to be denoted by impressed stamps only.

How instruments are to be written and stamped.

3.—(1.) Every instrument written upon stamped material is to be written in such manner, and every instrument partly or wholly written before being stamped is to be so stamped, that the stamp may appear on the face of the instrument, and cannot be used for or applied to any other instrument written upon the same piece of material.

(2.) If more than one instrument be written upon the same piece of material, every one of the instruments is to be separately and distinctly stamped with the duty with which it is chargeable.

Instruments to be separately charged with duty in certain cases.

4. Except where express provision to the contrary is made by this or any other Act,—

(*a.*) An instrument containing or relating to several distinct matters is to be separately and distinctly charged, as if it were a separate instrument, with duty in respect of each of the matters;

(*b.*) An instrument made for any consideration in respect whereof it is chargeable with ad valorem duty, and also for any further or other valuable consideration or considerations, is to be separately and distinctly charged, as if it were a separate instrument, with duty in respect of each of the considerations.

Facts and circumstances affecting duty

5. All the facts and circumstances affecting the liability of any instrument to duty, or the amount of the duty with which any

instrument is chargeable, are to be fully and truly set forth in the instrument; and every person who, with intent to defraud Her Majesty, to be set forth in instruments.

(*a.*) executes any instrument in which all the said facts and circumstances are not fully and truly set forth; or

(*b.*) being employed or concerned in or about the preparation of any instrument, neglects or omits fully and truly to set forth therein all the said facts and circumstances;

shall incur a fine of ten pounds.

Mode of calculating ad valorem duty in certain cases.

6.—(1.) Where an instrument is chargeable with ad valorem duty in respect of—

(*a.*) any money in any foreign or colonial currency, or

(*b.*) any stock or marketable security,

the duty shall be calculated on the value, on the day of the date of the instrument, of the money in British currency according to the current rate of exchange, or of the stock or security according to the average price thereof.

Amended by Finance Act 1899 s. 12

(2.) Where an instrument contains a statement of current rate of exchange, or average price, as the case may require, and is stamped in accordance with that statement, it is, so far as regards the subject matter of the statement, to be deemed duly stamped, unless or until it is shown that the statement is untrue, and that the instrument is in fact insufficiently stamped.

Use of Adhesive Stamps.

Certain adhesive stamps to be applicable to instruments and postal purposes.

7. Any stamp duties of an amount not exceeding two shillings and sixpence upon instruments which are permitted by law to be denoted by adhesive stamps not appropriated by any word or words on the face of them to any particular description of instrument, and any postage duties of the like amount, may be denoted by the same adhesive stamps.

General direction as to the cancellation of adhesive stamps.

8.—(1.) An instrument, the duty upon which is required or permitted by law to be denoted by an adhesive stamp, is not to be deemed duly stamped with an adhesive stamp, unless the person required by law to cancel the adhesive stamp cancels the same by writing on or across the stamp his name or initials, or the name or initials of his firm, together with the true date of his so writing, or otherwise effectively cancels the stamp and renders the same incapable of being used for any other instrument, or for any postal purpose, or unless it is otherwise proved that the stamp appearing on the instrument was affixed thereto at the proper time.

(2.) Where two or more adhesive stamps are used to denote the stamp duty upon an instrument, each or every stamp is to be cancelled in the manner aforesaid.

(3.) Every person who, being required by law to cancel an adhesive stamp, neglects or refuses duly and effectually to do so in the manner aforesaid, shall incur a fine of ten pounds.

Penalty for frauds in relation to adhesive stamps.

9.—(1.) If any person—

(*a.*) Fraudulently removes or causes to be removed from any instrument any adhesive stamp, or affixes to any other instrument or uses for any postal purpose any adhesive stamp which has been so removed, with intent that the stamp may be used again; or

(*b.*) Sells or offers for sale, or utters, any adhesive stamp which has been so removed, or utters any instrument, having thereon any adhesive stamp which has to his knowledge been so removed as aforesaid;

he shall, in addition to any other fine or penalty to which he may be liable, incur a fine of fifty pounds.

(2.) The expression "instrument" in this section includes any post letter as defined by the Post Office Protection Act, 1884, and the cover of any post letter.

47 & 48 Vict. c. 76.

Appropriated Stamps and Denoting Stamps.

Appropriated stamps.

10.—(1.) A stamp which by any word or words on the face of it is appropriated to any particular description of instrument is not to be used, or, if used, is not to be available, for an instrument of any other description.

(2.) An instrument falling under the particular description to which any stamp is so appropriated as aforesaid is not to be deemed duly stamped, unless it is stamped with the stamp so appropriated.

Denoting stamps.

11. Where the duty with which an instrument is chargeable depends in any manner upon the duty paid upon another instrument, the payment of the last-mentioned duty shall, upon application to the Commissioners and production of both the instruments, be denoted upon the first-mentioned instrument in such manner as the Commissioners think fit.

Adjudication Stamps.

Assessment of duty by Commissioners.

12.—(1.) Subject to such regulations as the Commissioners may think fit to make, the Commissioners may be required by any person to express their opinion with reference to any executed instrument upon the following questions:

(*a.*) Whether it is chargeable with any duty;

(*b.*) With what amount of duty it is chargeable

(2.) The Commissioners may require to be furnished with an abstract of the instrument, and also with such evidence as they may deem necessary, in order to show to their satisfaction whether all the facts and circumstances affecting the liability of the instrument to duty, or the amount of the duty chargeable thereon, are fully and truly set forth therein.

(3.) If the Commissioners are of opinion that the instrument is not chargeable with any duty, it may be stamped with a particular stamp denoting that it is not chargeable with any duty.

(4.) If the Commissioners are of opinion that the instrument is chargeable with duty, they shall assess the duty with which it is in their opinion chargeable, and when the instrument is stamped in accordance with the assessment it may be stamped with a particular stamp denoting that it is duly stamped.

(5.) Every instrument stamped with the particular stamp denoting either that it is not chargeable with any duty, or is duly stamped, shall be admissible in evidence, and available for all purposes notwithstanding any objection relating to duty.

(6.) Provided as follows:

(*a.*) An instrument upon which the duty has been assessed by the Commissioners shall not, if it is unstamped or insufficiently stamped, be stamped otherwise than in accordance with the assessment:

(*b.*) Nothing in this section shall extend to any instrument chargeable with ad valorem duty, and made as a security for money or stock without limit; or shall authorise the stamping after the execution thereof of any instrument which by law cannot be stamped after execution:

(*c.*) A statutory declaration made for the purpose of this section shall not be used against any person making the same in any proceeding whatever, except in an inquiry as to the duty with which the instrument to which it relates is chargeable; and every person by whom any such declaration is made shall, on payment of the duty chargeable upon the instrument to which it relates, be relieved from any fine or disability to which he may be liable by reason of the omission to state truly in the instrument any fact or circumstance required by this Act to be stated therein.

Persons dissatisfied may appeal.

13.—(1.) Any person who is dissatisfied with the assessment of the Commissioners may, within twenty-one days after the date of the assessment, and on payment of duty in conformity therewith, appeal against the assessment to the High Court of the part of the United Kingdom in which the case has arisen, and may for that purpose require the Commissioners to state and sign a case, setting forth the question upon which their opinion was required, and the assessment made by them.

(2.) The Commissioners shall thereupon state and sign a case and deliver the same to the person by whom it is required, and the case may, within seven days thereafter, be set down by him for hearing.

(3.) Upon the hearing of the case the court shall determine the question submitted, and, if the instrument in question is in the opinion of the court chargeable with any duty, shall assess the duty with which it is chargeable.

(4.) If it is decided by the court that the assessment of the Commissioners is erroneous, any excess of duty which may have been paid in conformity with the erroneous assessment, together with any fine or penalty which may have been paid in consequence thereof, shall be ordered by the court to be repaid to the appellant, with or without costs as the court may determine.

(5.) If the assessment of the Commissioners is confirmed the court may make an order for payment to the Commissioners of the costs incurred by them in relation to the appeal.

Production of Instruments in Evidence.

Terms upon which instruments not duly stamped may be received in evidence.

14.—(1.) Upon the production of an instrument chargeable with any duty as evidence in any court of civil judicature in any part of the United Kingdom, or before any arbitrator or referee, notice shall be taken by the judge, arbitrator, or referee of any omission or insufficiency of the stamp thereon, and if the instrument is one

which may legally be stamped after the execution thereof, it may, on payment to the officer of the court whose duty it is to read the instrument, or to the arbitrator or referee, of the amount of the unpaid duty, and the penalty payable on stamping the same, and of a further sum of one pound, be received in evidence, saving all just exceptions on other grounds.

(2.) The officer, or arbitrator, or referee receiving the duty and penalty shall give a receipt for the same, and make an entry in a book kept for that purpose of the payment and of the amount thereof, and shall communicate to the Commissioners the name or title of the proceeding in which, and of the party from whom, he received the duty and penalty, and the date and description of the instrument, and shall pay over to such person as the Commissioners may appoint the money received by him for the duty and penalty.

(3.) On production to the Commissioners of any instrument in respect of which any duty or penalty has been paid, together with the receipt, the payment of the duty and penalty shall be denoted on the instrument.

(4.) Save as aforesaid, an instrument executed in any part of the United Kingdom, or relating, wheresoever executed, to any property situate, or to any matter or thing done or to be done, in any part of the United Kingdom, shall not, except in criminal proceedings, be given in evidence, or be available for any purpose whatever, unless it is duly stamped in accordance with the law in force at the time when it was first executed.

Stamping of Instruments after Execution.

Penalty upon stamping instruments after execution.

15.—(1.) Save where other express provision is in this Act made, any unstamped or insufficiently stamped instrument may be stamped after the execution thereof, on payment of the unpaid duty and a penalty of ten pounds, and also by way of further penalty, where the unpaid duty exceeds ten pounds, of interest on such duty, at the rate of five pounds per centum per annum, from the day upon which the instrument was first executed up to the time when the amount of interest is equal to the unpaid duty.

(2.) In the case of such instruments herein-after mentioned as are chargeable with ad valorem duty, the following provisions shall have effect:

(*a.*) The instrument, unless it is written upon duly stamped material, shall be duly stamped with the proper ad valorem duty before the expiration of thirty days after it is first executed, or after it has been first received in the United Kingdom in case it is first executed at any place out of the United Kingdom, unless the opinion of the Commissioners with respect to the amount of duty with which the instrument is chargeable, has, before such expiration, been required under the provisions of this Act:

(*b.*) If the opinion of the Commissioners with respect to any such instrument has been required, the instrument shall be stamped in accordance with the assessment of the Commissioners within fourteen days after notice of the assessment:

(*c.*) If any such instrument executed after the sixteenth day of May one thousand eight hundred and eighty-eight has not been or is not duly stamped in conformity with the foregoing provisions of this sub-section, the person in that behalf herein-after specified shall incur a fine of ten pounds, and in addition to the penalty payable on stamping the instrument there shall be paid a further penalty equivalent to the stamp duty thereon, unless a reasonable excuse for the delay in stamping, or the omission to stamp, or the insufficiency of stamp, be afforded to the satisfaction of the Commissioners, or of the court, judge, arbitrator, or referee before whom it is produced:

(*d.*) The instruments and persons to which the provisions of this sub-section are to apply are as follows:—

Title of Instrument as described in the First Schedule to this Act.	Person liable to Penalty.
Bond, covenant, or instrument of any kind whatsoever.	The obligee, covenantee, or other person taking the security.
Conveyance on sale - - -	The vendee or transferee.
Lease or tack - - - -	The lessee.
Mortgage, bond, debenture, covenant, and warrant of attorney to confess and enter up judgment.	The mortgagee or obligee; in the case of a transfer or reconveyance, the transferee, assignee, or disponee, or the person redeeming the security.
Settlement - - - -	The settlor.

(3.) Provided that save where other express provision is made by this Act in relation to any particular instrument:

(*a.*) Any unstamped or insufficiently stamped instrument which has been first executed at any place out of the United Kingdom, may be stamped, at any time within thirty days after it has been first received in the United Kingdom, on payment of the unpaid duty only: and

(*b.*) The Commissioners may, if they think fit, ~~at any time within three months after the first execution of any instrument,~~ mitigate or remit any penalty payable on stamping.

Limit of time for mitigation of penalty abolished by Finance Act 1945 sec 15?

(4.) The payment of any penalty payable on stamping is to be denoted on the instrument by a particular stamp.

Entries upon Rolls, Books, &c.

Rolls, books, &c. to be open to inspection.

16. Every public officer having in his custody any rolls, books, records, papers, documents, or proceedings, the inspection whereof may tend to secure any duty, or to prove or lead to the discovery of any fraud or omission in relation to any duty, shall at all reasonable times permit any person thereto authorised by the Commissioners to inspect the rolls, books, records, papers, documents, and proceedings, and to take such notes and extracts as he may deem necessary, without fee or reward, and in case of refusal shall for every offence incur a fine of ten pounds.

Penalty for enrolling, &c. instrument not duly stamped.

17. If any person whose office it is to enrol, register, or enter in or upon any rolls, books, or records any instrument chargeable

with duty, enrols, registers, or enters any such instrument not being duly stamped, he shall incur a fine of ten pounds.

PART II.

REGULATIONS APPLICABLE TO PARTICULAR INSTRUMENTS.

Admissions.

Mode of denoting duty.

18. The duty payable upon an admission is to be denoted on the instrument of admission delivered to the person admitted, if there be any such instrument, or if not, on the register, entry, or memorandum of the admission in the rolls, books, or records of the court, inn, college, borough, burgh, company, corporation, guild, or society in which the admission is made, and in cases in which no instrument of admission is delivered, and no register, entry, or memorandum is made, on the receipt or warrant for admission.

Penalty on officers for neglect to make duly stamped documents or entries.

19. If any person whose office it is to prepare or deliver out any instrument of admission chargeable with duty, or to register, enter, or make any memorandum of any admission in respect of which no instrument of admission is delivered to the person admitted, neglects or refuses, within one month after the admission, to prepare a duly stamped instrument of admission, or to make a duly stamped register, entry, or memorandum of the admission, as the case may require, he shall incur a fine of ten pounds.

Admissions to the Degree of a Barrister-at-Law in Ireland, and of Students to the Society of King's Inns, in Dublin.

Distinct accounts to be kept of certain sums payable to King's Inns, Dublin.

20. Distinct accounts are to be kept of the sums following; that is to say,—

(*a.*) Ten pounds, part of the duty of fifty pounds payable on the admission to the degree of a barrister-at-law in Ireland of a person not previously admitted to that degree in England, or as an advocate in Scotland:

(*b.*) Ten pounds, payable for duty on the like admission of a person who has been previously admitted to the said degree in England, or as an advocate in Scotland:

(*c.*) Ten pounds, part of the duty payable on the admission of a person as a student of the Society of King's Inns, in Dublin:

And the said sums are respectively to be paid over by the Commissioners to the treasurer of the Society of King's Inns, in Dublin, to be applied by him according to the directions of the society.

Admission of member of Inn of Court as student of King's Inns.

21. If any person who has been duly admitted a member of one of the Inns of Court in England is afterwards duly admitted a student of the Society of King's Inns in Dublin, the duty paid by him in respect of his former admission is, on application made within six months after the last admission, to be allowed and returned to him.

Agreements.

Duty may be denoted by adhesive stamp.

22. The duty of sixpence upon an agreement may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the agreement is first executed.

Certain mortgages of stock to be chargeable as agreements.

23.—(1.) Every instrument under hand only (not being a promissory note or bill of exchange) given upon the occasion of the deposit of any share warrant or stock certificate to bearer, or foreign or colonial share certificate, or any security for money transferable by delivery, by way of security for any loan, shall be deemed to be an agreement, and shall be charged with duty accordingly.

(2.) Every instrument under hand only (not being a promissory note or bill of exchange) making redeemable or qualifying a duly stamped transfer, intended as a security, of any registered stock or marketable security, shall be deemed to be an agreement, and shall be charged with duty accordingly.

(3.) A release or discharge of any such instrument shall not be chargeable with any ad valorem duty.

Appraisements.

Appraisements to be written out.

24.—(1.) Every appraiser, by whom an appraisement or valuation chargeable with stamp duty is made, shall, within fourteen days after the making thereof, write out the same, in words and figures showing the full amount thereof, upon duly stamped material, and if he neglects or omits so to do, or in any other manner discloses the amount of the appraisement or valuation, he shall incur a fine of fifty pounds.

(2.) Every person who receives from any appraiser, or pays for the making of, any such appraisement or valuation, shall, unless the same be written out and stamped as aforesaid, incur a fine of twenty pounds.

Instruments of Apprenticeship.

Meaning of instrument of apprenticeship.

25. Every writing relating to the service or tuition of any apprentice, clerk, or servant placed with any master to learn any profession, trade, or employment (except articles of clerkship to a solicitor or law agent or writer to the signet) is to be deemed an instrument of apprenticeship.

Articles of Clerkship.

Articles in Scotland not to be charged with more than one duty of 60*l.*

26.—(1.) Where the same articles are a qualification for the admission of any person as a law agent to practise before the Court of Session, and also as a law agent to practise before a sheriff court in Scotland, the articles are not to be charged with any further duty than sixty pounds.

(2.) Where any person has become bound by duly stamped articles in order to his admission as a law agent to practise before a sheriff court in Scotland, the articles shall, on payment of such further amount of duty as, together with the amount previously paid thereon, will make up the sum of sixty pounds, be impressed with a stamp denoting the payment of the further duty, and shall

thereupon be considered to be sufficiently stamped for entitling the person to admission as a law agent to practise before the Court of Session.

Terms upon which articles may be stamped after execution.

27. Save as herein-before provided, articles of clerkship are not to be stamped at any time after the date thereof, except upon payment of penalties, as follows:

(*a.*) If brought to be stamped within one year after date, ten pounds:

(*b.*) If so brought after one year, and within five years after date,—

For every complete year, and also for any additional part of a year elapsed since the date, ten pounds:

(*c.*) In every other case, fifty pounds.

Distinct account to be kept of 14*l.* payable to King's Inns.

28. The sum of fourteen pounds, part of the duty payable on articles of clerkship in Ireland, shall be carried to a separate account, and paid over by the Commissioners to the treasurer of the Society of King's Inns in Dublin, to be applied by him according to the directions of the said society.

Bank Notes, Bills of Exchange, and Promissory Notes.

Meaning of banker and bank note.

29. For the purposes of this Act the expression "banker" means any person carrying on the business of banking in the United Kingdom, and the expression "Bank note" includes—

(*a.*) Any bill of exchange or promissory note issued by any banker, other than the Bank of England, for the payment of money not exceeding one hundred pounds to the bearer on demand; and

(*b.*) Any bill of exchange or promissory note so issued which entitles or is intended to entitle the bearer or holder thereof, without indorsement or without any further or other indorsement than may be thereon at the time of the issuing thereof, to the payment of money not exceeding one hundred pounds on demand, whether the same be so expressed or not and in whatever form, and by whomsoever the bill or note is drawn or made.

Bank notes may be re-issued.

30. A bank note issued duly stamped, or issued unstamped by a banker duly licensed or otherwise authorised to issue unstamped bank notes, may be from time to time re-issued without being liable to any stamp duty by reason of the re-issuing.

Penalties for issuing or receiving an unstamped bank note.

31.—(1.) If any banker, not being duly licensed or otherwise authorised to issue unstamped bank notes, issues, or permits to be issued, any bank note not being duly stamped, he shall incur a fine of fifty pounds.

(2.) If any person receives or takes in payment or as a security any bank note issued unstamped contrary to law, knowing the same to have been so issued, he shall incur a fine of twenty pounds.

Meaning of "bill of exchange."

32. For the purposes of this Act the expression "bill of exchange" includes draft, order, cheque, and letter of credit, and any document or writing (except a bank note) entitling or purporting to entitle any person, whether named therein or not, to payment

by any other person of, or to draw upon any other person for, any sum of money; and the expression "bill of exchange payable on demand" includes—

(*a.*) An order for the payment of any sum of money by a bill of exchange or promissory note, or for the delivery of any bill of exchange or promissory note in satisfaction of any sum of money, or for the payment of any sum of money out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be performed or happen; and

(*b.*) An order for the payment of any sum of money weekly, monthly, or at any other stated periods, and also an order for the payment by any person at any time after the date thereof of any sum of money, and sent or delivered by the person making the same to the person by whom the payment is to be made, and not to the person to whom the payment is to be made, or to any person on his behalf.

Meaning of "promissory note."

33.—(1.) For the purposes of this Act the expression "promissory note" includes any document or writing (except a bank note) containing a promise to pay any sum of money.

(2.) A note promising the payment of any sum of money out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be performed or happen, is to be deemed a promissory note for that sum of money.

Provisions for use of adhesive stamps on bills and notes.

34.—(1.) The fixed duty of one penny on a bill of exchange payable on demand or at sight or on presentation may be denoted by an adhesive stamp, which, where the bill is drawn in the United Kingdom, is to be cancelled by the person by whom the bill is signed before he delivers it out of his hands, custody, or power.

(2.) The ad valorem duties upon bills of exchange and promissory notes drawn or made out of the United Kingdom are to be denoted by adhesive stamps.

Provisions as to stamping foreign bills and notes.

35.—(1.) Every person into whose hands any bill of exchange or promissory note drawn or made out of the United Kingdom, comes in the United Kingdom before it is stamped shall, before he presents for payment, or indorses, transfers, or in any manner negotiates, or pays the bill or note, affix thereto a proper adhesive stamp or proper adhesive stamps of sufficient amount, and cancel every stamp so affixed thereto.

(2.) Provided as follows:

(*a.*) If at the time when any such bill or note comes into the hands of any bonâ fide holder there is affixed thereto an adhesive stamp effectually cancelled, the stamp shall, so far as relates to the holder, be deemed to be duly cancelled, although it may not appear to have been affixed or cancelled by the proper person;

(*b.*) If at the time when any such bill or note comes into the hands of any bonâ fide holder there is affixed thereto an adhesive stamp not duly cancelled, it shall be competent for the holder to cancel the stamp as if he were the person by whom it was affixed, and upon his so doing the bill or

note shall be deemed duly stamped, and as valid and available as if the stamp had been cancelled by the person by whom it was affixed.

(3.) But neither of the foregoing provisoes is to relieve any person from any fine or penalty incurred by him for not cancelling an adhesive stamp.

As to bills and notes purporting to be drawn abroad.

36. A bill of exchange or promissory note which purports to be drawn or made out of the United Kingdom is, for the purpose of determining the mode in which the stamp duty thereon is to be denoted, to be deemed to have been so drawn or made, although it may in fact have been drawn or made within the United Kingdom.

Terms upon which bills and notes may be stamped after execution.

37.—(1.) Where a bill of exchange or promissory note has been written on material bearing an impressed stamp of sufficient amount but of improper denomination, it may be stamped with the proper stamp on payment of the duty, and a penalty of forty shillings if the bill or note be not then payable according to its tenor, or of ten pounds if the same be so payable.

(2.) Except as aforesaid, no bill of exchange or promissory note shall be stamped with an impressed stamp after the execution thereof.

Penalty for issuing, &c. any unstamped bill or note.

38.—(1.) Every person who issues, indorses, transfers, negotiates, presents for payment, or pays any bill of exchange or promissory note liable to duty and not being duly stamped shall incur a fine of ten pounds, and the person who takes or receives from any other person any such bill or note either in payment or as a security, or by purchase or otherwise, shall not be entitled to recover thereon, or to make the same available for any purpose whatever.

(2.) Provided that if any bill of exchange payable on demand or at sight or on presentation, is presented for payment unstamped, the person to whom it is presented may affix thereto an adhesive stamp of one penny, and cancel the same, as if he had been the drawer of the bill, and may thereupon pay the sum in the bill mentioned, and charge the duty in account against the person by whom the bill was drawn, or deduct the duty from the said sum, and the bill is, so far as respects the duty, to be deemed valid and available.

(3.) But the foregoing proviso is not to relieve any person from any fine or penalty incurred by him in relation to such bill.

One bill only of a set need be stamped.

39. When a bill of exchange is drawn in a set according to the custom of merchants, and one of the set is duly stamped, the other or others of the set shall, unless issued or in some manner negotiated apart from the stamped bill, be exempt from duty; and upon proof of the loss or destruction of a duly stamped bill forming one of a set, any other bill of the set which has not been issued or in any manner negotiated apart from the lost or destroyed bill may, although unstamped, be admitted in evidence to prove the contents of the lost or destroyed bill.

Bills of Lading.

Bills of lading.

40.—(1.) A bill of lading is not to be stamped after the execution thereof.

(2.) Every person who makes or executes any bill of lading not duly stamped shall incur a fine of fifty pounds.

Bills of Sale.

Bills of sale.

41. A bill of sale is not to be registered under any Act for the time being in force relating to the registration of bills of sale unless the original, duly stamped, is produced to the proper officer.

Bonds given in Relation to the Duties of Excise.

Bonds not to include goods, &c. belonging to more than one person.

42. If any person required by any Act for the time being in force or by the Commissioners, or any of their officers, to give or enter into any bond for or in respect of any duty of excise, or for preventing any fraud or evasion in relation to any such duty, or for any matter or thing relating thereto, includes in one and the same bond any goods or things belonging to more persons than one, not being partners or joint tenants, or tenants in common, he shall for every offence incur a fine of fifty pounds.

Certificates of Solicitors and others.

Penalty for practising without certificate, or making false statement on application for certificate.

43.—(1.) Every person who in any part of the United Kingdom—

(*a.*) Directly or indirectly acts or practises as a solicitor or law agent in any court, or as a notary public, without having in force at the time a duly stamped certificate; or

(*b.*) On applying for his certificate does not truly specify the facts and circumstances upon which the amount of duty chargeable upon the certificate depends:

shall incur a fine of fifty pounds, and shall be incapable of maintaining any action or suit for the recovery of any fee, reward, or disbursement on account of or in relation to any act or proceeding done or taken by him in any such capacity.

(2.) Every person in whose name, either alone or together with any other person, any proceeding is taken in any court, shall, unless the proceeding is set aside by the court as irregular, or unless the contrary is otherwise satisfactorily proved, be deemed to have acted in the proceeding.

(3.) Nothing in this Act shall require a stamped certificate to be taken out by a person who is by law authorised to act as solicitor of a public department without admission, or by any assistant or clerk or officer appointed to act under the direction of such solicitor.

Penalty on unqualified persons preparing instruments.

44. Every person who (not being a barrister, or a duly certificated solicitor, law agent, writer to the signet, notary public, conveyancer, special pleader, or draftsman in equity) either directly or indirectly, for or in expectation of any fee, gain, or reward, draws or prepares any instrument relating to real or personal estate, or any proceeding in law or equity, shall incur a fine of fifty pounds.

Provided as follows:

(1.) This section does not extend to—

(*a.*) Any public officer drawing or preparing instruments in the course of his duty; or

(*b.*) Any person employed merely to engross any instrument or proceeding.

(2.) The expression "instrument" in this section does not include—

(*a.*) A will or other testamentary instrument; or

(*b.*) An agreement under hand only; or

(*c.*) A letter or power of attorney; or

(*d.*) A transfer of stock containing no trust or limitation thereof.

One certificate only required.

45. It shall not be necessary for any person required to take out a stamped certificate to take out in England, or in Scotland, or in Ireland more than one certificate for any one year.

Solicitors certificates in England and Ireland.

46. The certificates of solicitors in England and Ireland are to be applied for, taken out, issued, dated, and stamped,—

(*a.*) In England, in accordance with the provisions in that behalf of the Solicitors Acts, 1843, 1860, 1877, and 1888;

(*b.*) In Ireland, in accordance with the provisions in that behalf of the Attorneys and Solicitors Act, Ireland, 1866.

Other certificates.

47. Every person required to take out a certificate to authorise him to practise:—

(*a.*) In Scotland, as a law agent or writer to the signet; or

(*b.*) In England or Ireland, as a conveyancer, special pleader, or draftsman in equity; or

(*c.*) In any part of the United Kingdom, as a notary public;

shall in every year before he does any act in any of the aforesaid capacities, deliver to the Commissioners, or to their proper officer, in such manner and form as they direct, a note in writing stating his full name and the place where he carries on his business, and thereupon, and upon payment of the proper duty, shall be entitled to a certificate, which is to be duly stamped and issued to him by the Commissioners.

Date and duration of certain certificates.

48. The certificates in this section specified are to be dated and to expire at the times herein-after in that behalf mentioned; that is to say,

(*a.*) The certificates of law agents, writers to the signet, and notaries public in Scotland, and of conveyancers, special pleaders, and draftsmen in equity in England, are to be dated, if taken out between the thirty-first of October and the first of December, on the first of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the thirty-first of October next after their date.

(*b.*) The certificates of notaries public in England are to be dated, if taken out between the fifteenth of November and the sixteenth of December, on the sixteenth of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the fifteenth of November next after their date.

(3.) The certificates of conveyancers, special pleaders, draftsmen in equity, and notaries public in Ireland are to be dated on the day on which they are issued, and are to expire, as to the certificates of notaries public, on the twenty-fifth day of March next after their date, and in all other cases on the sixth day of January next after their date.

Charter-parties.

Provisions as to duty on charter-party.

49.—(1.) For the purposes of this Act the expression "charter-party" includes any agreement or contract for the charter of any ship or vessel or any memorandum, letter, or other writing between the captain, master, or owner of any ship or vessel, and any other person for or relating to the freight or conveyance of any money, goods, or effects on board of the ship or vessel.

(2.) The duty upon a charter-party may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is last executed, or by whose execution it is completed as a binding contract.

Charter-parties executed abroad.

50. Where a charter-party is first executed out of the United Kingdom without being duly stamped, any party thereto may, within ten days after it has been first received in the United Kingdom, and before it has been executed by any person in the United Kingdom, affix thereto an adhesive stamp denoting the duty chargeable thereon, and at the same time cancel such adhesive stamp, and the instrument when so stamped shall be deemed duly stamped.

Terms upon which charter-parties may be stamped after execution.

51. A charter-party may be stamped with an impressed stamp after execution upon the following terms; that is to say,

(1.) Within seven days after the first execution thereof, on payment of the duty and a penalty of four shillings and sixpence;

(2.) After seven days, but within one month after the first execution thereof, on payment of the duty and a penalty of ten pounds;

and shall not in any other case be stamped with an impressed stamp.

Contract Notes.

Provisions as to contract notes.

52.—(1.) For the purposes of this Act the expression "contract note" means the note sent by a broker or agent to his principal (except where such principal is acting as broker or agent for a principal) advising him of the sale or purchase of any stock or marketable security.

(2.) Where a note advises the sale or purchase of more than one description of stock or marketable security, the note shall be deemed to be as many contract notes as there are descriptions of stock or security sold or purchased.

(3.) The duty of one penny on a contract note may be denoted by an adhesive stamp, and the duty of sixpence on a contract note is to be denoted by an adhesive stamp appropriated to a contract note.

(4.) Every adhesive stamp on a contract note is to be cancelled by the person by whom the note is executed.

Penalty for not making a stamped note.

53.—(1.) Any person who effects any sale or purchase of any stock or marketable security, of the value of five pounds or upwards, as a broker or agent, shall forthwith make and execute a contract note and transmit the same to his principal, and in default of so doing shall incur a fine of twenty pounds.

(2.) Every person who makes or executes any contract note chargeable with duty, and not being duly stamped, shall incur a fine of twenty pounds.

(3.) No broker, agent, or other person shall have any legal claim to any charge for brokerage, commission, or agency, with reference to the sale or purchase of any stock or marketable security of the value of five pounds or upwards mentioned or referred to in any contract note, unless the note is duly stamped.

(4.) The duty of sixpence upon a contract note may be added to the charge for brokerage or agency.

Conveyances on Sale.

Meaning of "conveyance on sale."

54. For the purposes of this Act the expression "conveyance on sale" includes every instrument, and every decree or order of any court or of any commissioners, whereby any property, or any estate or interest in any property, upon the sale thereof is transferred to or vested in a purchaser, or any other person on his behalf or by his direction.

How ad valorem duty to be calculated in respect of stock and securities.

55.—(1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any stock or marketable security, the conveyance is to be charged with ad valorem duty in respect of the value of the stock or security.

(2.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any security not being a marketable security, the conveyance is to be charged with ad valorem duty in respect of the amount due on the day of the date thereof for principal and interest upon the security.

How consideration consisting of periodical payments to be charged.

56.—(1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically for a definite period not exceeding twenty years, so that the total amount to be paid can be previously ascertained, the conveyance is to be charged in respect of that consideration with ad valorem duty on such total amount.

(2.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically for a definite period exceeding twenty years or in perpetuity, or for any indefinite period not terminable with life, the conveyance is to be charged in respect of that consideration with ad valorem duty on the total amount which will or may, according to the terms of sale, be payable during the period of twenty years next after the day of the date of the instrument.

(3.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically during any life or lives, the conveyance is to be charged in respect of that consideration with ad valorem duty on the amount which will or may, according to the terms of sale, be payable during the period of twelve years next after the day of the date of the instrument.

(4.) Provided that no conveyance on sale chargeable with ad valorem duty in respect of any periodical payments, and containing also provision for securing the payments, is to be charged with any duty in respect of such provision, and no separate instrument made in that case for securing the payments is to be charged with any higher duty than ten shillings.

How conveyance in consideration of a debt, &c., to be charged.

57. Where any property is conveyed to any person in consideration, wholly or in part, of any debt due to him, or subject either certainly or contingently to the payment or transfer of any money or stock, whether being or constituting a charge or incumbrance upon the property or not, the debt, money, or stock is to be deemed the whole or part, as the case may be, of the consideration in respect whereof the conveyance is chargeable with ad valorem duty.

Direction as to duty in certain cases.

58.—(1.) Where property contracted to be sold for one consideration for the whole is conveyed to the purchaser in separate parts or parcels by different instruments, the consideration is to be apportioned in such manner as the parties think fit, so that a distinct consideration for each separate part or parcel is set forth in the conveyance relating thereto, and such conveyance is to be charged with ad valorem duty in respect of such distinct consideration.

(2.) Where property contracted to be purchased for one consideration for the whole by two or more persons jointly, or by any person for himself and others, or wholly for others, is conveyed in parts or parcels by separate instruments to the persons by or for whom the same was purchased for distinct parts of the consideration, the conveyance of each separate part or parcel is to be charged with ad valorem duty in respect of the distinct part of the consideration therein specified.

(3.) Where there are several instruments of conveyance for completing the purchaser's title to property sold, the principal instrument of conveyance only is to be charged with ad valorem duty, and the other instruments are to be respectively charged with such other duty as they may be liable to, but the last-mentioned duty shall not exceed the ad valorem duty payable in respect of the principal instrument.

(4.) Where a person having contracted for the purchase of any property, but not having obtained a conveyance thereof, contracts to sell the same to any other person, and the property is in consequence conveyed immediately to the sub-purchaser, the conveyance is to be charged with ad valorem duty in respect of the consideration moving from the sub-purchaser.

(5.) Where a person having contracted for the purchase of any property but not having obtained a conveyance contracts to sell the whole, or any part or parts thereof, to any other person or persons, and the property is in consequence conveyed by the original seller to different persons in parts or parcels, the conveyance of each part or parcel is to be charged with ad valorem duty in respect only of the consideration moving from the sub-purchaser thereof, without regard to the amount or value of the original consideration.

(6.) Where a sub-purchaser takes an actual conveyance of the interest of the person immediately selling to him, which is chargeable with ad valorem duty in respect of the consideration moving from him, and is duly stamped accordingly, any conveyance to be afterwards made to him of the same property by the original seller shall be chargeable only with such other duty as it may be liable

to, but the last-mentioned duty shall not exceed the ad valorem duty.

Certain contracts to be chargeable as conveyances on sale.

59.—(1.) Any contract or agreement made in England or Ireland under seal, or under hand only, or made in Scotland, with or without any clause of registration, for the sale of any equitable estate or interest in any property whatsoever, or for the sale of any estate or interest in any property except lands, tenements, hereditaments, or heritages, or property locally situate out of the United Kingdom, or goods, wares or merchandise, or stock, or marketable securities, or any ship or vessel, or part interest, share, or property of or in any ship or vessel, shall be charged with the same ad valorem duty, to be paid by the purchaser, as if it were an actual conveyance on sale of the estate, interest, or property contracted or agreed to be sold.

(2.) Where the purchaser has paid the said ad valorem duty and before having obtained a conveyance or transfer of the property, enters into a contract or agreement for the sale of the same, the contract or agreement shall be charged, if the consideration for that sale is in excess of the consideration for the original sale, with the ad valorem duty payable in respect of such excess consideration, and in any other case with the fixed duty of ten shillings or of sixpence, as the case may require.

(3.) Where duty has been duly paid in conformity with the foregoing provisions, the conveyance or transfer made to the purchaser or sub-purchaser, or any other person on his behalf or by his direction, shall not be chargeable with any duty, and the Commissioners, upon application, either shall denote the payment of the ad valorem duty upon the conveyance or transfer, or shall transfer the ad valorem duty thereto upon production of the contract or agreement, or contracts or agreements, duly stamped.

(4.) Provided that where any such contract or agreement is stamped with the fixed duty of ten shillings or of sixpence, as the case may require, the contract or agreement shall be regarded as duly stamped for the mere purpose of proceedings to enforce specific performance or recover damages for the breach thereof.

(5.) Provided also that where any such contract or agreement is stamped with the said fixed duty, and a conveyance or transfer made in conformity with the contract or agreement is presented to the Commissioners for stamping with the ad valorem duty chargeable thereon within the period of six months after the first execution of the contract or agreement, or within such longer period as the Commissioners may think reasonable in the circumstances of the case, the conveyance or transfer shall be stamped accordingly, and the same, and the said contract or agreement, shall be deemed to be duly stamped. Nothing in this proviso shall alter or affect the provisions as to the stamping of a conveyance or transfer after the execution thereof.

(6.) Provided also, that the ad valorem duty paid upon any such contract or agreement shall be returned by the Commissioners in case the contract or agreement be afterwards rescinded or annulled, or for any other reason be not substantially performed or carried

into effect, so as to operate as or be followed by a conveyance or transfer.

As to sale of an annuity or right not before in existence.

60. Where upon the sale of any annuity or other right not before in existence such annuity or other right is not created by actual grant or conveyance, but is only secured by bond, warrant of attorney, covenant, contract, or otherwise, the bond or other instrument, or some one of such instruments, if there be more than one, is to be charged with the same duty as an actual grant or conveyance, and is for the purposes of this Act to be deemed an instrument of conveyance on sale.

Principal instrument, how to be ascertained.

61.—(1.) In the cases herein-after specified the principal instrument is to be ascertained in the following manner:

(*a.*) Where any copyhold or customary estate is conveyed by a deed, no surrender being necessary, the deed is to be deemed the principal instrument:

(*b.*) In other cases of copyhold or customary estates, the surrender or grant, if made out of court, or the memorandum thereof, and the copy of court roll of the surrender or grant, if made in court, is to be deemed the principal instrument:

(*c.*) Where in Scotland there is a disposition or assignation executed by the seller, and any other instrument is executed for completing the title, the disposition or assignation is to be deemed the principal instrument.

(2.) In any other case the parties may determine for themselves which of several instruments is to be deemed the principal instrument, and may pay the ad valorem duty thereon accordingly.

Conveyances on any Occasion except Sale or Mortgage.

What is to be deemed a conveyance on any occasion, not being a sale or mortgage.

62. Every instrument, and every decree or order of any court or of any commissioners, whereby any property on any occasion, except a sale or mortgage, is transferred to or vested in any person, is to be charged with duty as a conveyance or transfer of property.

Provided that a conveyance or transfer made for effectuating the appointment of a new trustee is not to be charged with any higher duty than ten shillings.

Attested Copies and Extracts.

Stamping of certain copies and extracts after attestation.

63. An attested or otherwise authenticated copy or extract of or from—

(1.) An instrument chargeable with any duty;

(2.) An original will, testament, or codicil;

(3.) The probate or probate copy of a will or codicil;

(4.) Letters of administration or a confirmation of a testament;

may be stamped at any time within fourteen days after the date of the attestation or authentication on payment of the duty only.

Certified Copies and Extracts from Registers of Births, &c.

Duty may be denoted by adhesive stamp.

64. The duty upon a certified copy or extract of or from any register of births, baptisms, marriages, deaths, or burials is to be paid by the person requiring the copy or extract, and may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the copy or extract is signed before he delivers the same out of his hands, custody, or power.

Copyhold and Customary Estates.

Provisions as to payment of duty.

65.—(1.) No instrument is to be charged more than once with duty by reason of relating to several distinct tenements, in respect whereof several fines or fees are due to the lord or steward of the manor.

(2.) The copy of court roll of a surrender or grant made out of court shall not be admissible or available as evidence of the surrender or grant, unless the surrender or grant, or the memorandum thereof, is duly stamped, of which fact the certificate of the steward of the manor on the face of the copy shall be sufficient evidence.

(3.) The entry upon the court rolls of a surrender or grant shall not be admissible or available as evidence of the surrender or grant unless the surrender or grant, if made out of court, or the memorandum thereof, or the copy of court roll of the surrender or grant, if made in court, is duly stamped, of which fact the certificate of the steward of the manor in the margin of the entry shall be sufficient evidence.

Facts affecting duty to be stated in note.

66.—(1.) All the facts and circumstances affecting the liability to duty of the copy of court roll of any surrender or grant made in court, or the amount of duty with which any such copy of court roll is chargeable, are to be fully and truly stated in a note to be delivered to the steward of the manor before the surrender or grant is made.

(2.) The steward of every manor shall refuse—

(*a.*) To accept in court any surrender, or to make in court any grant, until such a note as is required by this section has been delivered to him; or

(*b.*) To enter on the court rolls, or accept any presentment of, or admit any person to be tenant under or by virtue of, any surrender or grant made out of court, or any deed which is not duly stamped:

And in any case in which he does not so refuse shall incur a fine of fifty pounds.

(3.) If any person with intent to defraud Her Majesty,—

(*a.*) Makes in court any surrender before such a note as aforesaid has been delivered to the steward of the manor; or

(*b.*) Being employed or concerned in or about the preparation of any such note as aforesaid, neglects or omits fully and truly to state therein all the above-mentioned facts and circumstances;

he shall incur a fine of fifty pounds.

Steward to make out duly stamped copies.

67. The steward of every manor shall, within four months from the day on which any surrender or grant is made in court, make out a duly stamped copy of court roll of such surrender or grant, and have the same ready for delivery to the person entitled thereto, and in default of so doing shall incur a fine of fifty pounds, and the duty payable in respect of the copy of court roll shall be a debt to Her Majesty from the steward, whether he has received it or not, and if he has not received the duty the same shall also be a debt to Her Majesty from the person entitled to the copy.

68. The steward of any manor may, before he accepts in court any surrender or makes in court any grant, demand the payment of his lawful fees in relation to the surrender or grant, together with the duty payable on the copy of court roll thereof, and may refuse to proceed in the matter or to deliver the copy of court roll to any person until the fees and duty are paid. Steward may refuse to proceed except on payment of his fees and duty.

Delivery Orders.

69.—(1.) For the purposes of this Act the expression "delivery order" means any document or writing entitling, or intended to entitle, any person therein named, or his assigns, or the holder thereof, to the delivery of any goods, wares, or merchandise of the value of forty shillings or upwards lying in any dock or port, or in any warehouse in which goods are stored or deposited on rent or hire, or upon any wharf, such document or writing being signed by or on behalf of the owner of such goods, wares, or merchandise, upon the sale or transfer of the property therein. Provisions as to duty on delivery order.

(2.) A delivery order is to be deemed to have been given upon a sale of, or transfer of the property in, goods, wares, or merchandise of the value of forty shillings or upwards, unless the contrary is expressly stated therein.

(3.) The duty upon a delivery order may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is made, executed, or issued.

70.—(1.) If any person— Penalty for use of unstamped or untrue order.

(*a.*) Untruly states, or knowingly allows to be untruly stated, in a delivery order, either that the transaction to which it relates is not a sale or transfer of property, or that the goods, wares, or merchandise to which it relates are not of the value of forty shillings; or

(*b.*) Makes, signs, or issues any delivery order chargeable with duty, but not being duly stamped; or

(*c.*) Knowingly, either himself, or by his servant or any other person, delivers, or procures, or authorises the delivery of, any goods, wares, or merchandise mentioned in any delivery order which is not duly stamped, or which contains to his knowledge any false statement with reference either to the nature of the transaction, or the value of the goods, wares, or merchandise,

he shall incur a fine of twenty pounds.

(2.) But a delivery order is not, by reason of the same being unstamped, to be deemed invalid in the hands of the person having the custody of, or delivering out, the goods, wares, or merchandise therein mentioned, unless such person is proved to have been party or privy to some fraud on the revenue in relation thereto.

71. The duty upon a delivery order is, in the absence of any special stipulation, to be paid by the person to whom the order is given, and any person from whom a delivery order chargeable with duty is required may refuse to give it, unless or until the amount of the duty is paid to him. By whom duty on delivery order to be paid.

Duplicates and Counterparts.

Provision as to duplicates and counterparts.

72. The duplicate or counterpart of an instrument chargeable with duty (except the counterpart of an instrument chargeable as a lease, such counterpart not being executed by or on behalf of any lessor or grantor,) is not to be deemed duly stamped unless it is stamped as an original instrument, or unless it appears by some stamp impressed thereon that the full and proper duty has been paid upon the original instrument of which it is the duplicate or counterpart.

Exchange and Partition or Division.

As to exchange, &c.

73. Where upon the exchange of any real or heritable property for any other real or heritable property, or upon the partition or division of any real or heritable property, any consideration exceeding in amount or value one hundred pounds is paid or given, or agreed to be paid or given, for equality, the principal or only instrument whereby the exchange or partition or division is effected is to be charged with the same ad valorem duty as a conveyance on sale for the consideration, and with that duty only; and where in any such case there are several instruments for completing the title of either party, the principal instrument is to be ascertained, and the other instruments are to be charged with duty in the manner herein-before provided in the case of several instruments of conveyance.

Grants of Honours and Dignities.

Duty to be charged in respect of highest rank.

74.—(1.) Where two or more honours or dignities are granted by the same letters patent to the same person, such letters patent are to be charged with the proper duty in respect of the highest in point of rank only.

(2.) Where any honour or dignity is granted to any person in remainder, the letters patent are to be charged with such further duty in respect of every remainder as would be payable for an original grant of the same honour or dignity.

Leases.

Agreements for not more than thirty-five years to be charged as leases.

75.—(1.) An agreement for a lease or tack, or with respect to the letting of any lands, tenements, or heritable subjects for any term not exceeding thirty-five years, or for any indefinite term, is to be charged with the same duty as if it were an actual lease or tack made for the term and consideration mentioned in the agreement.

(2.) A lease or tack made subsequently to, and in conformity with, such an agreement duly stamped is to be charged with the duty of sixpence only.

Leases how to be charged in respect of produce, &c.

76.—(1.) Where the consideration, or any part of the consideration, for which a lease or tack is granted or agreed to be granted, consists of any produce or other goods, the value of the produce or goods is to be deemed a consideration in respect of which the lease or tack or agreement is chargeable with ad valorem duty.

(2.) Where it is stipulated that the value of the produce or goods is to amount at least to, or is not to exceed, a given sum, or where the lessee is specially charged with, or has the option of paying

after any permanent rate of conversion, the value of the produce or goods is, for the purpose of assessing the ad valorem duty, to be estimated at the given sum, or according to the permanent rate.

(3.) A lease or tack or agreement for a lease or tack made either wholly or partially for any such consideration, if it contains a statement of the value thereof, and is stamped in accordance with the statement, is, so far as regards the subject matter of the statement, to be deemed duly stamped, unless or until it is otherwise shown that the statement is incorrect, and that the lease or tack or agreement is in fact not duly stamped.

Directions as to duty in certain cases.

77.—(1.) A lease or tack, or agreement for a lease or tack, or with respect to any letting, is not to be charged with any duty in respect of any penal rent, or increased rent in the nature of a penal rent, thereby reserved or agreed to be reserved or made payable, or by reason of being made in consideration of the surrender or abandonment of any existing lease, tack, or agreement, of or relating to the same subject matter.

(2.) A lease made for any consideration in respect whereof it is chargeable with ad valorem duty, and in further consideration either of a covenant by the lessee to make, or of his having previously made, any substantial improvement of or addition to the property demised to him, or of any covenant relating to the matter of the lease, is not to be charged with any duty in respect of such further consideration.

(3.) No lease for a life or lives not exceeding three, or for a term of years determinable with a life or lives not exceeding three, and no lease for a term absolute not exceeding twenty-one years, granted by an ecclesiastical corporation aggregate or sole, is to be charged with any higher duty than thirty-five shillings.

(4.) A lease for a definite term exceeding thirty-five years granted under the Trinity College (Dublin) Leasing and Perpetuity Act, 1851, is not to be charged with any higher duty than would have been chargeable thereon if it had been a lease for a definite term not exceeding thirty-five years.

14 & 15 Vict. c. cxxviii.

(5.) An instrument whereby the rent reserved by any other instrument chargeable with duty and duly stamped as a lease or tack is increased is not to be charged with duty otherwise than as a lease or tack in consideration of the additional rent thereby made payable.

Duty in certain cases may be denoted by adhesive stamp.

78.—(1.) The duty upon an instrument chargeable with duty as a lease or tack of—

(*a.*) any dwelling-house, or part of a dwelling-house, for a definite term not exceeding a year at a rent not exceeding the rate of ten pounds per annum; or

(*b.*) any furnished dwelling-house or apartments for any definite term less than a year;

and upon the duplicate or counterpart of any such instrument, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is first executed.

(2.) Every person who executes, or prepares or is employed in preparing, any such instrument (except letters or correspondence) which is not, at or before the execution thereof, duly stamped, shall incur a fine of five pounds.

Letters of Allotment or Renunciation, Scrip Certificates, and Scrip.

Provisions as to letters of allotment, &c.

79.—(1.) Every person who executes, grants, issues, or delivers out any document chargeable with duty as a letter of allotment, letter of renunciation, or scrip certificate, or as scrip, before the same is duly stamped, shall incur a fine of twenty pounds.

(2.) The stamp duty of one penny on a letter of renunciation may be denoted by an adhesive stamp which is to be cancelled by the person by whom the letter of renunciation is executed.

Letters or Powers of Attorney and Voting Papers.

Provisions as to proxies and voting papers.

80.—(1.) Every letter or power of attorney for the purpose of appointing a proxy to vote at a meeting, and every voting paper, hereby respectively charged with the duty of one penny, is to specify the day upon which the meeting at which it is intended to be used is to be held, and is to be available only at the meeting so specified, and any adjournment thereof.

(2.) The duty of one penny may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is executed, and a letter or power of attorney or voting paper charged with the duty of one penny is not to be stamped after the execution thereof by any person.

(3.) Every person who makes or executes, or votes, or attempts to vote, under or by means of any such letter or power of attorney or voting paper, not being duly stamped, shall incur a fine of fifty pounds, and every vote given or tendered under the authority or by means of the letter or power of attorney or voting paper, shall be void.

Power relating to Government stocks, how to be charged.

81. A letter or power of attorney for the sale, transfer, or acceptance of any of the Government or Parliamentary stocks or funds, duly stamped for that purpose, is not to be charged with any further duty by reason of containing an authority for the receipt of the dividends on the same stocks or funds.

Marketable Securities and Foreign and Colonial Share Certificates.

Meaning of marketable securities for charge of duty and foreign and colonial share certificate.

82.—(1.) Marketable securities for the purpose of the charge of duty thereon include—

(*a.*) A marketable security, made or issued by or on behalf of any company or body of persons corporate or unincorporate formed or established in the United Kingdom; and

(*b.*) A marketable security by or on behalf of any foreign state or government, or foreign or colonial municipal body, corporation, or company (herein-after called a foreign security), bearing date or signed after the third day of June one thousand eight hundred and sixty-two,

(i.) Which is made or issued in the United Kingdom, or

(ii.) Which, though originally issued out of the United Kingdom, has been, after the sixth day of August one thousand eight hundred and eighty-five, or is offered for subscription, and given or delivered to a subscriber in the United Kingdom, or

(iii.) Which, the interest thereon being payable in the United Kingdom, is assigned, transferred, or in any manner negotiated in the United Kingdom; and

(c.) A marketable security by or on behalf of any colonial government which if the borrower were a foreign government would be a foreign security (herein-after called a colonial government security).

(2.) For the purposes of this Act the expression "foreign or colonial share certificate" includes any document whatever, being primâ facie evidence of the title of any person as proprietor of, or as having the beneficial interest in, any share or shares or stock or debenture stock or funded debt of any foreign or colonial company or corporation where such person is not registered in respect thereof in a register duly kept in the United Kingdom.

83. Every person who in the United Kingdom makes, issues, assigns, transfers, negotiates, or offers for subscription, any foreign security or colonial government security not being duly stamped, shall incur a fine of twenty pounds. Penalty on issuing, &c. foreign, &c. security not duly stamped.

84. The Commissioners may at any time, without reference to the date thereof, allow any foreign security or colonial government security to be stamped without the payment of any penalty, upon being satisfied, in any manner that they may think proper, that it was not made or issued, and has not been transferred, assigned, or negotiated within the United Kingdom. Foreign or colonial securities may be stamped without penalty.

85.—(1.) The duties charged upon a marketable security on the occasion of the first transfer by delivery thereof in any year, and upon a foreign or colonial share certificate, on the occasion of the first delivery thereof in any year are to be denoted by adhesive stamps appropriated by words and figures on the face thereof to the duties and the year. Annual duties to be denoted by adhesive stamps.

(2.) Every person who delivers or transfers, or is concerned as broker or agent in delivering or transferring, any instrument chargeable with any duty so payable, and not being duly stamped, shall incur a fine of twenty pounds.

(3.) Where the holder of any foreign or colonial share certificate bearing the stamp for any year shall, in the course of the year, cause himself to be registered in the register of the foreign or colonial company or corporation to which it relates, and shall obtain a new certificate consequent upon the registration, the Commissioners may, subject to such regulations as they may prescribe, stamp the new certificate for the same year without payment of duty.

Mortgages, &c.

86.—(1.) For the purposes of this Act the expression "mortgage" means a security by way of mortgage for the payment of any definite and certain sum of money advanced or lent at the time, or previously due and owing, or forborne to be paid, being payable, or for the repayment of money to be thereafter lent, advanced, or paid, or which may become due upon an account current, together with any sum already advanced or due, or without, as the case may be; Meaning of "mortgage."

And includes—

(*a.*) Conditional surrender by way of mortgage, further charge, wadset, and heritable bond, disposition, assignation, or tack in security, and eik to a reversion of or affecting any lands, estate, or property, real or personal, heritable or moveable, whatsoever: and

(*b.*) Any deed containing an obligation to infeft any person in an annual rent, or in lands or other heritable subjects in Scotland, under a clause of reversion, but without any personal bond or obligation therein contained for payment of the money or stock intended to be secured: and

(*c.*) Any conveyance of any lands, estate, or property whatsoever in trust to be sold or otherwise converted into money, intended only as a security, and redeemable before the sale or other disposal thereof, either by express stipulation or otherwise, except where the conveyance is made for the benefit of creditors generally, or for the benefit of creditors specified who accept the provision made for payment of their debts, in full satisfaction thereof, or who exceed five in number: and

(*d.*) Any defeazance, letter of reversion, back bond, declaration, or other deed or writing for defeating or making redeemable or explaining or qualifying any conveyance, transfer, disposition, assignation, or tack of any lands, estate, or property whatsoever, apparently absolute, but intended only as a security: and

(*e.*) Any agreement (other than an agreement chargeable with duty as an equitable mortgage), contract, or bond accompanied with a deposit of title deeds for making a mortgage, wadset, or any other security or conveyance as aforesaid of any lands, estate, or property comprised in the title deeds, or for pledging or charging the same as a security: and

(*f.*) Any deed whereby a real burden is declared or created on lands or heritable subjects in Scotland: and

(*g.*) Any deed operating as a mortgage of any stock or marketable security.

(2.) For the purpose of this Act the expression "equitable mortgage" means an agreement or memorandum, under hand only, relating to the deposit of any title deeds or instruments constituting or being evidence of the title to any property whatever (other than stock or marketable security), or creating a charge on such property.

Direction as to duty in certain cases.

87.—(1.) A security for the transfer or retransfer of any stock is to be charged with the same duty as a similar security for a sum of money equal in amount to the value of the stock; and a transfer, assignment, disposition, or assignation of any such security, and a reconveyance, release, discharge, surrender, re-surrender, warrant to vacate, or renunciation of any such security, is to be charged with the same duty as an instrument of the same description relating to a sum of money equal in amount to the value of the stock.

(2.) A security for the payment of any rentcharge, annuity, or periodical payments, by way of repayment, or in satisfaction or

discharge of any loan, advance, or payment intended to be so repaid, satisfied, or discharged, is to be charged with the same duty as a similar security for the payment of the sum of money so lent, advanced, or paid.

(3.) A transfer of a duly stamped security, and a security by way of further charge for money or stock, added to money or stock previously secured by a duly stamped instrument, is not to be charged with any duty by reason of its containing any further or additional security for the money or stock transferred or previously secured, or the interest or dividends thereof, or any new covenant, proviso, power, stipulation, or agreement in relation thereto, or any further assurance of the property comprised in the transferred or previous security.

(4.) Where any copyhold or customary lands or hereditaments are mortgaged alone by means of a conditional surrender or grant, the ad valorem duty is to be charged on the surrender or grant, if made out of court, or the memorandum thereof, and on the copy of court roll of the surrender or grant, if made in court.

(5.) Where any copyhold or customary lands or hereditaments are mortgaged, together with other property, for securing the same money or the same stock, the ad valorem duty is to be charged on the instrument relating to the other property, and the surrender or grant, or the memorandum thereof, or the copy of court roll of the surrender or grant, as the case may be, is not to be charged with any higher duty than ten shillings.

(6.) An instrument chargeable with ad valorem duty as a mortgage is not to be charged with any further duty by reason of the equity of redemption in the mortgaged property being thereby conveyed or limited in any other manner than to a purchaser, or in trust for, or according to the direction of, a purchaser.

Security for future advances, how to be charged.

88.—(1.) A security for the payment or repayment of money to be lent, advanced, or paid, or which may become due upon an account current, either with or without money previously due, is to be charged, where the total amount secured or to be ultimately recoverable is in any way limited, with the same duty as a security for the amount so limited.

(2.) Where such total amount is unlimited, the security is to be available for such an amount only as the ad valorem duty impressed thereon extends to cover, but where any advance or loan is made in excess of the amount covered by that duty the security shall for the purpose of stamp duty be deemed to be a new and separate instrument, bearing date on the day on which the advance or loan is made.

(3.) Provided that no money to be advanced for the insurance of any property comprised in the security against damage by fire, or for keeping up any policy of life insurance comprised in the security, or for effecting in lieu thereof any new policy, or for the renewal of any grant or lease of any property comprised in the security upon the dropping of any life whereon the property is held, shall be reckoned as forming part of the amount in respect whereof the security is chargeable with ad valorem duty.

Exemption from stamp duty in favour of benefit building societies restricted.

89. The exemption from stamp duty conferred by the Act of the Session held in the sixth and seventh years of King William the Fourth, chapter thirty-two, for the regulation of benefit building societies, shall not extend to any mortgage made after the thirty-first day of July one thousand eight hundred and sixty-eight, except a mortgage by a member of a benefit building society for securing the repayment to the society of money not exceeding five hundred pounds.

Notarial Acts.

Duty may be denoted by adhesive stamp.

90. The duty upon a notarial act, and upon the protest by a notary public of a bill of exchange or promissory note, may be denoted by an adhesive stamp, which is to be cancelled by the notary.

Policies of Insurance.

Meaning of policy of insurance.

91. For the purposes of this Act the expression "policy of insurance" includes every writing whereby any contract of insurance is made or agreed to be made, or is evidenced, and the expression "insurance" includes assurance.

Policies of Sea Insurance.

Meaning of policy of sea insurance.

92.—(1.) For the purposes of this Act the expression "policy of sea insurance" means any insurance (including re-insurance) made upon any ship or vessel, or upon the machinery, tackle, or furniture of any ship or vessel, or upon any goods, merchandise, or property of any description whatever on board of any ship or vessel, or upon the freight of, or any other interest which may be lawfully insured in or relating to, any ship or vessel, and includes any insurance of goods, merchandise, or property for any transit which includes not only a sea risk, but also any other risk incidental to the transit insured from the commencement of the transit to the ultimate destination covered by the insurance.

(2.) Where any person, in consideration of any sum of money paid or to be paid for additional freight or otherwise, agrees to take upon himself any risk attending goods, merchandise, or property of any description whatever while on board of any ship or vessel, or engages to indemnify the owner of any such goods, merchandise, or property from any risk, loss, or damage, such agreement or engagement shall be deemed to be a contract for sea insurance.

Contract to be in writing. 25 & 26 Vict. c. 63.

93.—(1.) A contract for sea insurance (other than such insurance as is referred to in the fifty-fifth section of the Merchant Shipping Act Amendment Act, 1862) shall not be valid unless the same is expressed in a policy of sea insurance.

(2.) ~~No policy of sea insurance made for time shall be made for any time exceeding twelve months.~~ Repealed by Statute Law Revision Act 1908

(3.) A policy of sea insurance shall not be valid unless it specifies the particular risk or adventure, the names of the subscribers or underwriters, and the sum or sums insured, and is made for a period not exceeding twelve months.

Policy for voyage and time chargeable with two duties.

94. Where any sea insurance is made for a voyage and also for time, or to extend to or cover any time beyond thirty days after the ship shall have arrived at her destination and been there moored

at anchor, the policy is to be charged with duty as a policy for a voyage, and also with duty as a policy for time.

No policy valid unless duly stamped.

95.—(1.) A policy of sea insurance may not be stamped at any time after it is signed or underwritten by any person, except in the two cases following; that is to say,

(*a.*) Any policy of mutual insurance having a stamp impressed thereon may, if required, be stamped with an additional stamp provided that at the time when the additional stamp is required the policy has not been signed or underwritten to an amount exceeding the sum or sums which the duty impressed thereon extends to cover:

(*b.*) Any policy made or executed out of, but being in any manner enforceable within, the United Kingdom, may be stamped at any time within ten days after it has been first received in the United Kingdom on payment of the duty only.

(2.) Provided that a policy of sea insurance shall for the purpose of production in evidence be an instrument which may legally be stamped after the execution thereof, and the penalty payable by law on stamping the same shall be the sum of one hundred pounds.

Legal alterations in policies may be made under certain restrictions.

96. Nothing in this Act shall prohibit the making of any alteration which may lawfully be made in the terms and conditions of any policy of sea insurance after the policy has been underwritten; provided that the alteration be made before notice of the determination of the risk originally insured, and that it do not prolong the time covered by the insurance thereby made beyond the period of six months in the case of a policy made for a less period than six months, or beyond the period of twelve months in the case of a policy made for a greater period than six months, and that the articles insured remain the property of the same person or persons, and that no additional or further sum be insured by reason or means of the alteration.

Penalty on assuring unless policy duly stamped.

97.—(1.) If any person—

(*a.*) becomes an assurer upon any sea insurance, or enters into any contract for sea insurance, or directly or indirectly receives or contracts or takes credit in account for any premium or consideration for any sea insurance, or knowingly takes upon himself any risk, or renders himself liable to pay, or pays, any sum of money upon any loss, peril, or contingency relative to any sea insurance, unless the insurance is expressed in a policy of sea insurance duly stamped, or

(*b.*) makes or effects, or knowingly procures to be made or effected, any sea insurance, or directly or indirectly gives or pays, or renders himself liable to pay, any premium, or consideration for any sea insurance, or enters into any contract for sea insurance, unless the insurance is expressed in a policy of sea insurance duly stamped, or

(*c.*) is concerned in any fraudulent contrivance or device, or is guilty of any wilful act, neglect, or omission, with intent to evade the duties payable on policies of sea insurance, or whereby the duties may be evaded,

he shall for every such offence incur a fine of one hundred pounds.

(2.) Every broker, agent, or other person negotiating or transacting any sea insurance contrary to the true intent and meaning of this Act, or writing any policy of sea insurance upon material not duly stamped, shall for every such offence incur a fine of one hundred pounds, and shall not have any legal claim to any charge for brokerage, commission, or agency, or for any money expended or paid by him with reference to the insurance, and any money paid to him in respect of any such charge shall be deemed to be paid without consideration, and shall remain the property of his employer.

(3.) If any person makes or issues, or causes to be made or issued, any document purporting to be a copy of a policy of sea insurance, and there is not at the time of the making or issue in existence a policy duly stamped whereof the said document is a copy, he shall for such offence in addition to any other fine or penalty to which he may be liable incur a fine of one hundred pounds.

Policies of Insurance except Policies of Sea Insurance.

Meaning of policy of life insurance and policy of insurance against accident.

98.—(1.) For the purposes of this Act the expression "policy of life insurance" means a policy of insurance upon any life or lives or upon any event or contingency relating to or depending upon any life or lives except a policy of insurance against accident; and the expression "policy of insurance against accident" means a policy of insurance for any payment agreed to be made upon the death of any person only from accident or violence or otherwise than from a natural cause, or as compensation for personal injury and includes any notice or advertisement in a newspaper or other publication which purports to insure the payment of money upon the death of or injury to the holder or bearer of the newspaper or publication containing the notice only from accident or violence or otherwise than from a natural cause.

(2.) A policy of insurance against accident is not to be charged with any further duty than one penny by reason of the same extending to any payment to be made during sickness or incapacity from personal injury.

Duty on certain policies may be denoted by adhesive stamp.

99. The duty of one penny upon a policy of insurance other than a policy of sea insurance or life insurance may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the policy is first executed.

Penalty for not making out policy, or making, &c. any policy not duly stamped.

100. Every person who—

(1.) Receives, or takes credit for, any premium or consideration for any insurance other than a sea insurance, and does not, within one month after receiving, or taking credit for, the premium or consideration, make out and execute a duly stamped policy of insurance; or

(2.) Makes, executes, or delivers out, or pays or allows in account, or agrees to pay or allow in account, any money upon or in respect of any policy other than a policy of sea insurance which is not duly stamped;

shall incur a fine of twenty pounds.

Receipts.

Provisions as to duty upon receipts.

101.—(1.) For the purposes of this Act the expression "receipt" includes any note, memorandum, or writing whereby any money amounting to two pounds or upwards, or any bill of exchange or promissory note for money amounting to two pounds or upwards, is acknowledged or expressed to have been received or deposited or paid, or whereby any debt or demand, or any part of a debt or demand, of the amount of two pounds or upwards, is acknowledged to have been settled, satisfied, or discharged, or which signifies or imports any such acknowledgment, and whether the same is or is not signed with the name of any person.

(2.) The duty upon a receipt may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the receipt is given before he delivers it out of his hands.

Terms upon which receipts may be stamped after execution.

102. A receipt given without being stamped may be stamped with an impressed stamp upon the terms following; that is to say,

(1.) Within fourteen days after it has been given, on payment of the duty and a penalty of five pounds;

(2.) After fourteen days, but within one month, after it has been given, on payment of the duty and a penalty of ten pounds;

and shall not in any other case be stamped with an impressed stamp.

Penalty for offences in reference to receipts.

103. If any person—

(1.) Gives a receipt liable to duty and not duly stamped; or

(2.) In any case where a receipt would be liable to duty refuses to give a receipt duly stamped; or

(3.) Upon a payment to the amount of two pounds or upwards gives a receipt for a sum not amounting to two pounds, or separates or divides the amount paid with intent to evade the duty;

he shall incur a fine of ten pounds.

Settlements.

As to settlement of policy or security.

104.—(1.) Where any money which may become due or payable upon any policy of life insurance, or upon any security not being a marketable security, is settled or agreed to be settled, the instrument whereby the settlement is made or agreed to be made is to be charged with ad valorem duty in respect of that money.

(2.) Provided as follows:

(*a.*) Where, in the case of a policy, no "provision is made for keeping up the policy," the ad valorem duty is to be charged only on the value of the policy at the date of the instrument:

(*b.*) If in any such case the instrument contains a statement of the said value, and is stamped in accordance with the statement, it is, so far as regards the policy, to be deemed duly stamped, unless or until it is shown that the statement is untrue, and that the instrument is in fact insufficiently stamped.

Settlements when not to be charged as securities.

105. An instrument chargeable with ad valorem duty as a settlement in respect of any money, stock, or security is not to be charged with any further duty by reason of containing provision for the payment or transfer of the money, stock, or security, or by reason of containing, where the money, stock, or security is in reversion or is not paid or transferred upon the execution of the instrument, provision for the payment, by the person entitled in possession to the interest or dividends of the money, stock, or security, during the continuance of such possession, of any annuity or yearly sum not exceeding interest at the rate of four pounds per centum per annum upon the amount or value of the money, stock, or security.

Where several instruments one only to be charged with ad valorem duty.

106.—(1.) Where several instruments are executed for effecting the settlement of the same property, and the ad valorem duty chargeable in respect of the settlement of the property exceeds ten shillings, one only of the instruments is to be charged with the ad valorem duty.

(2.) Where a settlement is made in pursuance of a previous agreement upon which ad valorem settlement duty exceeding ten shillings has been paid in respect of any property, the settlement is not to be charged with ad valorem duty in respect of the same property.

(3.) In each of the aforesaid cases the instruments not chargeable with ad valorem duty are to be charged with the duty of ten shillings.

Share Warrants.

Penalty for issuing share warrant not duly stamped.

107. If a share warrant is issued without being duly stamped, the company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the company, shall incur a fine of fifty pounds.

Stock Certificates to Bearer.

Meaning of stock certificate to bearer.

38 & 39 Vict. c. 83.

108. For the purposes of this Act the expression "stock certificate to bearer" includes every stock certificate to bearer issued after the third day of June one thousand eight hundred and eighty-one, under the provisions of the Local Authorities Loans Act, 1875, or of any other Act authorising the creation of debenture stock, county stock, corporation stock, municipal stock, or funded debt, by whatever name known.

Penalty for issuing stock certificate unstamped.

109.—(1.) Where the holder of a stock certificate to bearer has been entered on the register of the local authority as the owner of the share of stock described in the certificate, the certificate shall be forthwith cancelled so as to be incapable of being re-issued to any person.

(2.) Every person by whom a stock certificate to bearer is issued without being duly stamped shall incur a fine of fifty pounds.

Transfers of Shares in Cost Book Mines.

Duty may be denoted by adhesive stamp.

110.—(1.) The duty upon a request or authority to the purser or other officer of a mining company conducted on the cost book system to enter or register the transfer of any share or part of a share of the mine, and the duty upon a notice to such purser or officer of any such transfer, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the request, authority, or notice is written or executed.

(2.) Every person who writes or executes any such request, authority, or notice, not being duly stamped, and every purser or other officer of any such company who in any manner obeys, complies with, or gives effect to any such request, authority, or notice, not being duly stamped, shall incur a fine of twenty pounds.

Warrants for Goods.

Provisions as to warrants for goods.

111.—(1.) For the purposes of this Act the expression "warrant for goods" means any document or writing, being evidence of the title of any person therein named, or his assigns, or the holder thereof, to the property in any goods, wares, or merchandise lying in any warehouse or dock, or upon any wharf, and signed or certified by or on behalf of the person having the custody of the goods, wares, or merchandise.

(2.) The duty upon a warrant for goods may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is made, executed, or issued.

(3.) Every person who makes, executes, or issues, or receives or takes by way of security or indemnity, any warrant for goods not being duly stamped, shall incur a fine of twenty pounds.

PART III.

Supplemental.

Duty on Capital of Companies.

Charge of duty on capital of limited liability companies.

112. A statement of the amount which is to form the nominal share capital of any company to be registered with limited liability shall be delivered to the Registrar of Joint Stock Companies in England, Scotland, or Ireland, and a statement of the amount of any increase of registered capital of any company now registered or to be registered with limited liability shall be delivered to the said registrar, and every such statement shall be charged with an ad valorem stamp duty of two shillings for every one hundred pounds and any fraction of one hundred pounds over any multiple of one hundred pounds of the amount of such capital or increase of capital as the case may be.

The [illegible] authorised even if unissued — Ag. v Lord Glengall Times 1907 1 K.B. 677

Charge of duty on capital of companies with limited liability otherwise than

113.—(1.) Where by virtue of any letters patent granted by Her Majesty, or any Act, the liability of the holders of shares in the capital of any corporation or company is limited otherwise than by registration with limited liability under the law in that

under the Companies Acts.

behalf, a statement of the amount of nominal share capital of the corporation or company shall be delivered by the corporation or company to the Commissioners within one month after the date of the letters patent or the passing of the Act; and in case of any increase of the amount of nominal share capital of any corporation or company, whether now existing or to be hereafter formed, being authorised by any letters patent or Act, a statement of the amount of such increase shall be delivered by the corporation or company to the Commissioners within the like period.

(2.) The statement shall be charged with an ad valorem stamp duty of two shillings for every one hundred pounds and any fraction of one hundred pounds over any multiple of one hundred pounds of the amount of such capital or increase of capital as the case may be, and shall be duly stamped accordingly when the same is delivered to the Commissioners.

(3.) In the case of neglect to deliver such a statement as is hereby required to be delivered, the corporation or company shall be liable to pay to Her Majesty a sum equal to ten pounds per centum upon the amount of duty payable, and a like penalty for every month after the first month during which the neglect shall continue.

Composition for certain Stamp Duties.

Composition for stamp duty on transfers of Canadian and colonial stock. 40 & 41 Vict. c. 59.

114.—(1.) By way of composition for stamp duty chargeable on transfers of any stock of the Government of Canada which may be inscribed in books kept in the United Kingdom or of any Colonial stock to which the Colonial Stock Act, 1877, applies, the Government of Canada or other colony, as the case may be, shall pay to the Commissioners a sum as stamp duty calculated at the rate of one shilling and threepence for every ten pounds, and any fraction of ten pounds of the nominal amount of such stock inscribed in the name of each and every stockholder at the date of the composition—

With the addition—

(*a.*) when the period within which the stock is to be redeemed or paid off, or during which annual or other payments in respect of the redemption or payment off of the same are required to be made, exceeds sixty years, but does not exceed one hundred years from that date, of threepence for every such ten pounds or fraction of ten pounds; or

(*b.*) when the said period exceeds one hundred years, or no period is fixed for such redemption or payment off, or no such annual or other payments are required to be made, of sixpence for every such ten pounds or fraction of ten pounds;

and in consideration of the payment transfers of the stock in respect of which the composition has been paid shall be exempt from stamp duty.

(2.) All sums certified by the Commissioners to have been received by way of composition for stamp duty on transfers of stock under this section shall be paid over to the National Debt Commissioners, and shall be applied by them towards the reduction of the National Debt in such manner as the Treasury from time to time direct.

Composition for stamp duty by county councils, &c.

115.—(1.) Any county council or corporation or company may enter into an agreement with the Commissioners, if the Commissioners in their discretion think proper, for the delivery of an account showing the nominal amount of all the stock and funded debt of such county council, corporation, or company or the amount thereof in respect of which payment has been made, if the whole sums payable in respect thereof have not been paid; and after such agreement has been entered into the account shall be immediately delivered to the Commissioners, and a like account shall be delivered half yearly in each year.

(2.) The agreement shall specify the officer of the county council, corporation, or company, whether secretary, treasurer, accountant, or other officer, by whom the accounts are to be delivered, and such officer shall observe the rules in the first part of the Second Schedule to this Act, and is in those rules referred to by the expression "accountable officer."

(3.) There shall be charged by way of composition upon the aggregate amount appearing on every half-yearly account delivered to the Commissioners for every one hundred pounds and any fraction of one hundred pounds of such amount the duty of sixpence as a stamp duty, and so soon as any account has been delivered, and payment of the duty hereby imposed has been made, transfers of any stock or funded debt included in such account, and also any share warrants or stock certificates relating to such stock or funded debt, shall be exempt from duty.

(4.) If the duty charged is not paid upon the delivery of the account it shall be a debt due to Her Majesty from the county council, corporation, or company on whose behalf the account is delivered.

(5.) In the case of wilful neglect to deliver such an account as is hereby required to be delivered, or to pay the duty in conformity with this section, the county council or corporation or company shall be liable to pay to Her Majesty a sum equal to ten pounds per centum upon the amount of duty payable and a like penalty for every month after the first month during which the neglect continues.

(6.) Where an agreement for composition under this section has been entered into by any county council or corporation or company, such county council or corporation or company shall have power, in addition to any fee exigible upon registration of any transfer of stock, or funded debt, as the case may be, or upon issue of any share warrant, or stock certificate relating thereto, to require payment of an amount not exceeding the amount of duty which would have been chargeable upon the transfer or share warrant or stock certificate if no such agreement had been entered into.

Composition for stamp duty on policies of insurance against accident.

116.—(1.) Where any person issuing policies of insurance against accident, shall, in the opinion of the Commissioners, so carry on the business of such insurance as to render it impracticable or inexpedient to require that the duty of one penny be charged and paid upon the policies, the Commissioners may enter into an agreement with that person for the delivery to them of quarterly

accounts of all sums received in respect of premiums on policies of insurance against accident.

(2.) The agreement shall be in such form and shall contain such terms and conditions as the Commissioners may think proper, and the person with whom the agreement is entered into shall observe the rules in the second part of the Second Schedule to this Act.

(3.) After an agreement has been entered into between the Commissioners and any person and during the period for which the agreement is in force, no policy of insurance against accident issued by that person shall be chargeable with any duty, but in lieu of and by way of composition for that duty there shall be charged on the aggregate amount of all sums received in respect of premiums on policies of insurance against accident a duty at the rate of five pounds per centum as a stamp duty.

(4.) If the duty charged is not paid upon the delivery of the account it shall be a debt due to Her Majesty from the person by or on whose behalf the account is delivered.

(5.) In the case of wilful neglect to deliver such an account as is hereby required or to pay the duty in conformity with this section the person shall be liable to pay to Her Majesty a sum equal to ten pounds per centum upon the amount of duty payable, and a like penalty for every month after the first month during which the neglect continues.

Miscellaneous.

Conditions and agreements as to stamp duty void.

117. Every condition of sale framed with the view of precluding objection or requisition upon the ground of absence or insufficiency of stamp upon any instrument executed after the sixteenth day of May one thousand eight hundred and eighty-eight, and every contract, arrangement, or undertaking for assuming the liability on account of absence or insufficiency of stamp upon any such instrument or indemnifying against such liability, absence, or insufficiency, shall be void.

Assignment of policy of life assurance to be stamped before payment of money assured.

118.—(1.) No assignment of a policy of life insurance shall confer on the assignee therein named, his executors, administrators, or assigns, any right to sue for the moneys assured or secured thereby, or to give a valid discharge for the same, or any part thereof, unless the assignment is duly stamped, and no payment shall be made to any person claiming under any such assignment unless the same is duly stamped.

(2.) If any payment is made in contravention of this section, the stamp duty not paid upon the assignment, together with the penalty payable on stamping the same, shall be a debt due to Her Majesty from the person by whom the payment is made.

Instruments relating to Crown property.

119. Except where express provision to the contrary is made by this or any other Act, an instrument relating to property belonging to the Crown, or being the private property of the sovereign, is to be charged with the same duty as an instrument of the same kind relating to property belonging to a subject.

As to instruments charged with duty of 35*s*.

120. Any instrument which by any Act passed before the first day of January one thousand eight hundred and seventy-one and not relating to stamp duties, is specifically charged with the duty of thirty-five shillings, shall be chargeable only with the duty of ten shillings in lieu of the said duty of thirty-five shillings.

Recovery of penalties.

121. All fines imposed by this Act are to be sued for and recovered by information in the High Court in England in the name of the Attorney General for England, in Scotland in the name of the Lord Advocate, and in Ireland in the name of the Attorney General for Ireland.

Definitions.

122.—(1.) In this Act, unless the context otherwise requires,—

The expression "Commissioners" means Commissioners of Inland Revenue:

The expression "material" includes every sort of material upon which words or figures can be expressed:

The expression "instrument" includes every written document:

The expression "stamp" means as well a stamp impressed by means of a die as an adhesive stamp:

The expression "stamped," with reference to instruments and material, applies as well to instruments and material impressed with stamps by means of a die as to instruments and material having adhesive stamps affixed thereto:

The expressions "executed" and "execution," with reference to instruments not under seal, mean signed and signature:

The expression "money" includes all sums expressed in British or in any foreign or colonial currency:

The expression "stock" includes any share in any stocks or funds transferable at the Bank of England or at the Bank of Ireland, and India promissory notes, and any share in the stocks or funds of any foreign or colonial state or government, or in the capital stock or funded debt of any county council, corporation, company, or society in the United Kingdom, or of any foreign or colonial corporation, company, or society:

The expression "marketable security" means a security of such a description as to be capable of being sold in any stock market in the United Kingdom:

The expression "steward" of a manor includes deputy steward.

(2.) In the application of this Act to Scotland expressions referring to the High Court shall be construed as referring to the Court of Session sitting as the Court of Exchequer.

Repeal; Commencement; Short Title.

Repeal.

123. The enactments specified in the Third Schedule to this Act are hereby repealed from and after the commencement of this Act to the extent specified in the third column of that schedule.

Commencement.

124. This Act shall come into operation on the first day of January one thousand eight hundred and ninety-two.

Short title.

125. This Act may be cited as the Stamp Act, 1891.

Section 1.

SCHEDULES.

FIRST SCHEDULE.

STAMP DUTIES ON INSTRUMENTS.

	Duty. £	s.	d.
ADMISSION in England of any person—			
To the degree of barrister-at-law.			
If he has been previously duly admitted to the said degree in Ireland - - - - -	10	0	0
In any other case - - - - - -	50	0	0
Exemption.			
Admission of any person who has been previously duly admitted as an advocate in Scotland.			
And *see* sections 18, 19, and 20.			
ADMISSION in Ireland of any person—			
To the degree of barrister-at-law.			
If he has been previously duly admitted to the said degree in England, or as an advocate in Scotland -	10	0	0
In any other case - - - - -	50	0	0
And *see* sections 18, 19, and 20.			
ADMISSION in Scotland of any person—			
As an advocate.			
If he has been previously duly admitted to the degree of barrister-at-law in Ireland - - - -	10	0	0
In any other case - - - - -	50	0	0
Exemption.			
Admission of any person who has been previously duly admitted to the degree of barrister-at-law in England.			
And *see* sections 18, 19, and 20.			
ADMISSION of any person—			
To be a member of either of the four Inns of Court in England, or a student of the Society of King's Inns in Dublin - - - - - -	25	0	0
Exemptions.			
(1.) Admission of any person who has been previously duly admitted a member of one of the Inns of Court in England, to be a member of any other of the said Inns.			
(2.) Admission of any person who has been previously duly admitted a student of the Society of King's Inns in Dublin, to be a member of any of the Inns of Court in England.			
And *see* sections 18, 19, 20, and 21.			
ADMISSION of any person—			
As a solicitor of the Supreme Court in England, or of the Court of Judicature in Ireland - - -	25	0	0
And *see* sections 18 and 19.			

	£	s.	d.
ADMISSION in Scotland of any person—			
(1.) As a law agent to practise before the Court of Session or as a writer to the signet :			
If he has previously paid the sum of 60*l.* for duty upon his articles of clerkship - - -	25	0	0
If he has been previously duly admitted as a law agent to practise before a sheriff court - - -	30	0	0
In any other case - - - - -	85	0	0
(2.) As a law agent to practise before a sheriff court :			
If he has previously paid the sum of 2*s.* 6*d.* for duty on his articles of clerkship - - -	54	17	6
In any other case - - - - -	55	0	0

Exemption.

Admission of any person who has been previously duly admitted as a law agent to practise before the Court of Session or as a writer to the signet to act in the other of those capacities.

And *see* sections 18 and 19.

ADMISSION to act as a notary public.

See FACULTY.

ADMISSION of any person—

As a Fellow of the College of Physicians in England, Scotland, or Ireland - - - - -	25	0	0

And *see* sections 18 and 19.

~~ADMISSION of any person to the degree of doctor of medicine in either of the universities in Scotland - - - 10 0 0~~ - rep by Finance Act, 1

~~And *see* sections 18 and 19.~~

ADMISSION in England or Ireland of any person—

As a burgess, or into any corporation or company, in any city, borough, or town corporate.			
In respect of birth, apprenticeship, or marriage, or, in Ireland, in respect of being engaged in any trade, mystery, or handicraft - - - -	1	0	0
Upon any other ground - - - -	3	0	0

Exemptions.

(1.) Admission of any person to the freedom of the city of London by redemption.

(2.) Admission of any person to the freedom of the company of watermen and lightermen of the River Thames.

And *see* sections 18 and 19.

ADMISSION in Scotland of any person—

As a burgess, or into any corporation or company, in any burgh - - - - - - - -	0	5	0

Exemption.

Admission of a craftsman or other person into any corporation within any royal burgh, burgh of royalty, or burgh of barony incorporated by the magistrates and council of such burgh, provided such craftsman or other person has been previously duly admitted a freeman or burgess of the burgh.

And *see* sections 18 and 19.

AFFIDAVIT and STATUTORY DECLARATION -	0	2	6

£ s. d.

Exemptions.

(1.) Affidavit made for the immediate purpose of being filed, read, or used in any court, or before any judge, master, or officer of any court.

(2.) Affidavit or declaration made upon a requisition of the commissioners of any public board of revenue, or any of the officers acting under them, or required by law ~~[and made before a justice of the peace.]~~

(3.) Affidavit or declaration which may be required at the Bank of England or the Bank of Ireland to prove the death of any proprietor of any stock transferable there, or to identify the person of any such proprietor, or to remove any other impediment to the transfer of any such stock.

(4.) Affidavit or declaration relating to the loss, mutilation, or defacement of any bank note or bank post bill.

(5.) Declaration required to be made pursuant to any Act relating to marriages in order to a marriage without licence.

(6.) Declaration forming part of an application for a patent in conformity with the Patents, Designs, and Trade Marks Act, 1883.

AGREEMENT or CONTRACT, accompanied with a deposit.
See MORTGAGE, &c., and sections 23 and 86.

AGREEMENT for a lease or tack, or for any letting.
See LEASE or TACK, and section 75.

AGREEMENT for sale of property.
See CONVEYANCE on SALE, and section 59.

AGREEMENT or CONTRACT made or entered into pursuant to the Highway Acts for or relating to the making, maintaining, or repairing of highways - - - - 0 0 6

AGREEMENT or any MEMORANDUM of an AGREEMENT, made in England or Ireland under hand only, or made in Scotland without any clause of registration, and not otherwise specifically charged with any duty, whether the same be only evidence of a contract, or obligatory upon the parties from its being a written instrument - - 0 0 6

Exemptions.

(1.) Agreement or memorandum the matter whereof is not of the value of 5*l.*

(2.) Agreement or memorandum for the hire of any labourer, artificer, manufacturer, or menial servant.

(3.) Agreement, letter, or memorandum made for or relating to the sale of any goods, wares, or merchandise.

(4.) Agreement or memorandum made between the master and mariners of any ship or vessel for wages on any voyage coastwise from port to port in the United Kingdom.

(5.) Agreement entered into between a landlord and tenant pursuant to sub-section six of section eight or sub-section two of section twenty of the Land Law (Ireland) Act, 1881.

And *see* sections 22 and 23.

	£	s.	d.
ALLOTMENT. *See* LETTER OF ALLOTMENT.			
ANNUITY, conveyance in consideration of. *See* CONVEYANCE ON SALE, and section 56. purchase of. *See* CONVEYANCE ON SALE, and section 60. creation of, by way of security. *See* MORTGAGE, &c., and section 87. instruments relating to, upon any other occasion. *See* BOND, COVENANT, &c.			
APPOINTMENT of a new trustee, and APPOINTMENT in execution of a power of any property, or of any use, share, or interest in any property, by any instrument not being a will - - - - - - - - - - And *see* section 62.	0	10	0
APPOINTMENT of a gamekeeper. *See* DEPUTATION.			
APPRAISEMENT or VALUATION of any property, or of any interest therein, or of the annual value thereof, or of any dilapidations, or of any repairs wanted, or of the materials and labour used or to be used in any building, or of any artificers work whatsoever. Where the amount of the appraisement or valuation does not exceed 5*l.* - - - - - - - -	0	0	3
Exceeds 5*l.* and does not exceed 10*l.* - - -	0	0	6
„ 10*l.* „ 20*l.* - - -	0	1	0
„ 20*l.* „ 30*l.* - - -	0	1	6
„ 30*l.* „ 40*l.* - - -	0	2	0
„ 40*l.* „ 50*l.* - - -	0	2	6
„ 50*l.* „ 100*l.* - - -	0	5	0
„ 100*l.* „ 200*l.* - - -	0	10	0
„ 200*l.* „ 500*l.* - - -	0	15	0
„ 500*l.* - - - - - - -	1	0	0

Exemptions.

(1.) Appraisement or valuation made for, and for the information of, one party only, and not being in any manner obligatory as between parties either by agreement or operation of law.

(2.) Appraisement or valuation made in pursuance of the order of any Court of Admiralty, or of any Court of Appeal, from a judgment of any Court of Admiralty.

(3.) Appraisement or valuation of property of a deceased person made for the information of an executor or other person required to deliver, in England or Ireland, an affidavit, or to record in any commissary court in Scotland an inventory of the estate of such deceased person.

(4.) Appraisement or valuation of any property made for the purpose of ascertaining the legacy or succession or account duty payable in respect thereof.

And *see* section 24.

APPRENTICESHIP, instrument of - - - -	0	2	6

Exemptions.

(1.) Instrument relating to any poor child apprenticed by or at the sole charge of any parish or township, or by or

	£	s.	d.
at the sole charge of any public charity, or pursuant to any Act for the regulation of parish apprentices.			
(2.) Instrument of apprenticeship in Ireland, where the value of the premium or consideration does not exceed 10*l.*			
And *see* section 25.			
ARTICLES OF CLERKSHIP whereby any person first becomes bound to serve as a clerk in order to his admission,			
(1.) As a solicitor of the Supreme Court in England or of the Court of Judicature in Ireland - - - -	80	0	0
(2.) As a law agent to practise before the Court of Session or as writer to the Signet in Scotland - - -	60	0	0
(3.) As a law agent to practise before a sheriff court in Scotland - - - - - -	0	2	6
And *see* sections 26, 27, and 28.			
ARTICLES OF CLERKSHIP whereby any person, having been bound by previous duly stamped articles to serve as a clerk in order to his admission in any of the courts aforesaid, and not having completed his service so as to be entitled to such admission, becomes bound afresh for the same purpose.			
Where the duty upon the previous articles was 2*s.* 6*d.* -	0	2	6
In any other case - - - - - -	0	10	0
ASSIGNMENT or ASSIGNATION.			
By way of security, or of any security. *See* MORTGAGE, &c.			
Upon a sale, or otherwise. *See* CONVEYANCE.			
ASSURANCE. *See* POLICY.			
ATTESTED COPY. *See* COPY.			
ATTORNEY, LETTER or POWER of. *See* LETTER OF ATTORNEY.			
WARRANT of. *See* WARRANT OF ATTORNEY.			
AWARD in England or Ireland, and AWARD or DECREET ARBITRAL in Scotland.			
In any case in which an amount or value is the matter in dispute—			
Where no amount is awarded or the amount or value awarded does not exceed 5*l.* - - - -	0	0	3
Where the amount or value awarded—			
Exceeds 5*l.* and does not exceed 10*l.* - - -	0	0	6
„ 10*l.* „ 20*l.* - - -	0	1	0
„ 20*l.* „ 30*l.* - - -	0	1	6
„ 30*l.* „ 40*l.* - - -	0	2	0
„ 40*l.* „ 50*l.* - - -	0	2	6
„ 50*l.* „ 100*l.* - - -	0	5	0
„ 100*l.* „ 200*l.* - - -	0	10	0
„ 200*l.* „ 500*l.* - - -	0	15	0
„ 500*l.* „ 750*l.* - - -	1	0	0
„ 750*l.* „ 1,000*l.* - - -	1	5	0
„ 1,000*l.* - - - - - -	1	15	0
In any other case - - - - -	1	15	0
BACK BOND or BACK LETTER. *See* MORTGAGE, &c. and sections 23 and 86.			
BANK NOTE—			
For money not exceeding 1*l.* - - - -	0	0	5
Exceeding 1*l.* and not exceeding 2*l.* - - -	0	0	10
„ 2*l.* „ 5*l.* - - -	0	1	3

	£	s.	d.
Exceeding 5*l.* and not exceeding 10*l.* - - -	0	1	9
„ 10*l.* „ 20*l.* - - -	0	2	0
„ 20*l.* „ 30*l.* - - -	0	3	0
„ 30*l.* „ 50*l.* - - -	0	5	0
„ 50*l.* „ 100*l.* - - -	0	8	6

And *see* sections 29, 30, and 31.

BILL OF EXCHANGE—

Payable on demand or at sight or on presentation - 0 0 1

And *see* sections 32, 34, and 38.

BILL OF EXCHANGE of any other kind whatsoever (*except a Bank Note*) and PROMISSORY NOTE of any kind whatsoever (*except a Bank Note*)—drawn, or expressed to be payable, or actually paid, or endorsed, or in any manner negotiated in the United Kingdom.

"Bettinson v. Cohen 1903 1 K.B. 552."

Where the amount or value of the money for which the bill or note is drawn or made does not exceed 5*l.* -	0	0	1
Exceeds 5*l.* and does not exceed 10*l.* - - -	0	0	2
„ 10*l.* „ 25*l.* - - -	0	0	3
„ 25*l.* „ 50*l.* - - -	0	0	6
„ 50*l.* „ 75*l.* - - -	0	0	9
„ 75*l.* „ 100*l.* - - -	0	1	0
„ 100*l.*—			
for every 100*l.*, and also for any fractional part of 100*l.*, of such amount or value - - - -	0	1	0

Exemptions.

(1.) Bill or note issued by the Bank of England or the Bank of Ireland.

(2.) Draft or order drawn by any banker in the United Kingdom upon any other banker in the United Kingdom, not payable to bearer or to order, and used solely for the purpose of settling or clearing any account between such bankers.

(3.) Letter written by a banker in the United Kingdom to any other banker in the United Kingdom, directing the payment of any sum of money, the same not being payable to bearer or to order, and such letter not being sent or delivered to the person to whom payment is to be made or to any person on his behalf.

(4.) Letter of credit granted in the United Kingdom, authorising drafts to be drawn out of the United Kingdom payable in the United Kingdom.

(5.) Draft or order drawn by the Paymaster General on behalf of the Court of Chancery in England or by the Accountant-General of the Supreme Court of Judicature in Ireland.

(6.) Warrant or order for the payment of any annuity granted by the National Debt Commissioners, or for the payment of any dividend or interest on any share in the Government or Parliamentary stocks or funds.

(7.) Bill drawn by any person under the authority of the Admiralty, upon and payable by the Accountant General of the Navy.

(8.) Bill drawn (according to a form prescribed by Her Majesty's orders by any person duly authorised to draw

£ s. d.

the same) upon and payable out of any public account for any pay or allowance of the army or auxiliary forces or for any other expenditure connected therewith.

(9.) Draft or order drawn upon any banker in the United Kingdom by an officer of a public department of the State for the payment of money out of a public account.

(10.) Bill drawn in the United Kingdom for the sole purpose of remitting money to be placed to any account of public revenue.

(11.) Coupon or warrant for interest attached to and issued with any security, or with an agreement or memorandum for the renewal or extension of time for payment of a security.

And *see* sections 32, 33, 34, 35, 36, 37, 38, and 39.

BILL OF LADING of or for any goods, merchandise, or effects to be exported or carried coastwise - - - 0 0 6

And *see* section 40.

BILL OF SALE—

Absolute. *See* CONVEYANCE ON SALE.

By way of security. *See* MORTGAGE, &c.

And *see* section 41.

BOND for securing the payment or repayment of money or the transfer or retransfer of stock.

See MORTGAGE, &c. AND MARKETABLE SECURITY.

BOND in relation to any annuity upon the original creation and sale thereof.

See CONVEYANCE ON SALE, and section 60.

BOND,* COVENANT, or INSTRUMENT of any kind whatsoever.

(1.) Being the only or principal or primary security for any annuity (*except upon the original creation thereof by way of sale or security, and except a superannuation annuity*), or for any sum or sums of money at stated periods, not being interest for any principal sum secured by a duly stamped instrument, nor rent reserved by a lease or tack.

For a definite and certain period, so that the total amount to be ultimately payable can be ascertained. } The same ad valorem duty as a bond or covenant for such total amount.

For the term of life or any other indefinite period.

For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable - 0 2 6

(2.) Being a collateral or auxiliary or additional or substituted security for any of the above-mentioned purposes where the principal or primary instrument is duly stamped.

Where the total amount to be ultimately payable can be ascertained - - - - } The same ad valorem duty as a bond or covenant of the same kind for such total amount.

In any other case:

For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable - 0 0 6

£ s. d.

(3.) Being a grant or contract for payment of a superannuation annuity, that is to say a deferred life annuity granted or secured to any person in consideration of annual premiums payable until he attains a specified age and so as to commence on his attaining that age.

For every 5*l.* and also for any fractional part of 5*l.* of the annuity - - - - - - 0 0 6

BOND given pursuant to the directions of any Act, or of the Commissioners or the Commissioners of Customs, or any of their officers, for or in respect of any of the duties of excise or customs, or for preventing frauds or evasions thereof, or for any other matter or thing relating thereto.

Where the penalty of the bond does not exceed 150*l.* — The same ad valorem duty as a bond for the amount of the penalty.

In any other case - - - - - 0 5 0

Exemption.

Bond given as aforesaid upon, or in relation to, the receiving or obtaining, or for entitling any person to receive or obtain, any drawback of any duty of excise or customs, for or in respect of any goods, wares, or merchandise exported or shipped to be exported from the United Kingdom to any parts beyond the seas, or upon or in relation to the obtaining of any debenture or certificate for entitling any person to receive any such drawback as aforesaid.

And *see* section 42.

BOND on obtaining letters of administration in England or Ireland, or a confirmation of testament in Scotland - - 0 5 0

Exemptions.

(1.) Bond given by the widow, child, father, mother, brother or sister, of any common seaman, marine or soldier, dying in the service of Her Majesty.

(2.) Bond given by any person where the estate to be administered does not exceed 100*l.* in value.

BOND of any kind whatsoever not specifically charged with any duty:

Where the amount limited to be recoverable does not exceed 300*l.* - - - - - — The same ad valorem duty as a bond for the amount limited.

In any other case - - - - - 0 10 0

BOND, accompanied with a deposit of title deeds, for making a mortgage, wadset, or other security on any estate or property therein comprised.

See MORTGAGE, &c., and section 86.

BOND, DECLARATION, or other DEED or WRITING for making redeemable any disposition, assignation, or tack, apparently absolute, but intended only as a security.

See MORTGAGE, &c., and sections 23 and 86.

CERTIFICATE to be taken out yearly—

(1.) By every person admitted or inrolled in England or Ireland as a solicitor, or in Scotland as a law agent or

writer to the Signet, or in any part of the United Kingdom as a notary public.

(2.) By every other legally qualified person who carries on business in England or Ireland as a conveyancer, special pleader, or draftsman in equity, and is obliged by law to take out such a certificate.

If such person practises or carries on his business	If he has been admitted or inrolled, or has carried on business, for three years or upwards.	If he has not been so long admitted or inrolled, or has not so long carried on business.
	£ s. d.	£ s. d.
In England, within ten miles from the General Post Office in the city of London - -	9 0 0	4 10 0
In Scotland, within the city or shire of Edinburgh - - - - - -		
In Ireland, in the city of Dublin, or within three miles therefrom - - -		
In England, Scotland, or Ireland, beyond the above-mentioned limits - - -	6 0 0	3 0 0

And *see* sections 43, 44, 45, 46, 47, and 48.

CERTIFICATE of any goods, wares, or merchandise, having been duly entered inwards, which shall be entered outwards for exportation at the port of importation, or be removed from thence to any other port for the more convenient exportation thereof, where such certificate is issued for enabling a person to obtain a debenture or certificate entitling him to receive a drawback of any duty of customs - - - 0 4 0

CHARTER of resignation, or of confirmation, or of novodamus or upon apprising, or upon a decreet of adjudication, or sale of any lands, or other heritable subjects in Scotland - 0 5 0

CHARTER PARTY - - - - - - 0 0 6

And *see* sections 49, 50, and 51.

CHEQUE. *See* BILL OF EXCHANGE.

CLARE CONSTAT. *See* PRECEPT AND WRIT.

COLONIAL SECURITY. *See* MARKETABLE SECURITY AND SECTION 82.

COMMISSION:

(1.) To any officer in the army, or in the corps of Royal Marines - - - - - - 1 10 0

(2.) To any officer in the navy - - - - 0 5 0

Exemption.

Commission to any officer of militia, yeomanry, or volunteers.

COMMISSION OF LUNACY - - - - 0 5 0

COMMISSION to act as a notary public in Scotland. *See* FACULTY.

COMMISSION in the nature of a power of attorney in Scotland. *See* LETTER OR POWER OF ATTORNEY.

	£	s.	d.
CONDITIONAL SURRENDER of any copyhold or customary estate by way of mortgage. *See* MORTGAGE, &c., and sections 86 and 87.			
CONGÉ D'ÉLIRE. *See* GRANT.			
CONSTAT of Letters Patent. *See* EXEMPLIFICATION.			
CONTRACT. *See* AGREEMENT.			
CONTRACT NOTE for or relating to the sale or purchase of any stock or marketable security—			
Of the value of 5*l.* and under the value of 100*l.* - -	0	0	1
„ 100*l.* or upwards - - - -	0	0	6
And *see* sections 52 and 53.			
CONVEYANCE or TRANSFER, whether on sale or otherwise,—			
(1.) Of any stock of the Bank of England - -	0	7	9
(2.) Of any stock of the Government of Canada inscribed in books kept in the United Kingdom, or of any Colonial stock to which the Colonial Stock Act, 1877, applies—			
For every 100*l.*, and also for any fractional part of 100*l.*, of the nominal amount of stock transferred -	0	2	6
And *see* section 62.			
CONVEYANCE or TRANSFER on sale,			
Of any property (*except such stock as aforesaid*);			
Where the amount or value of the consideration for the sale does not exceed 5*l.* - - - -	0	0	6
Exceeds 5*l.*, and does not exceed 10*l.* - - -	0	1	0
„ 10*l.* „ 15*l.* - - -	0	1	6
„ 15*l.* „ 20*l.* - - -	0	2	0
„ 20*l.* „ 25*l.* - - -	0	2	6
„ 25*l.* „ 50*l.* - - -	0	5	0
„ 50*l.* „ 75*l.* - - -	0	7	6
„ 75*l.* „ 100*l.* - - -	0	10	0
„ 100*l.* „ 125*l.* - - -	0	12	6
„ 125*l.* „ 150*l.* - - -	0	15	0
„ 150*l.* „ 175*l.* - - -	0	17	6
„ 175*l.* „ 200*l.* - - -	1	0	0
„ 200*l.* „ 225*l.* - - -	1	2	6
„ 225*l.* „ 250*l.* - - -	1	5	0
„ 250*l.* „ 275*l.* - - -	1	7	6
„ 275*l.* „ 300*l.* - - -	1	10	0
„ 300*l.*			
For every 50*l.*, and also for any fractional part of 50*l.*, of such amount or value - - - - -	0	5	0
And *see* sections 54, 55, 56, 57, 58, 59, 60, and 61.			
CONVEYANCE or TRANSFER by way of security of any property (*except such stock as aforesaid*), or of any security. *See* MORTGAGE, &c. AND MARKETABLE SECURITY.			
CONVEYANCE or TRANSFER of any kind not hereinbefore described - - - - - -	0	10	0
And *see* section 62.			
COPY or EXTRACT (*attested or in any manner authenticated*) of or from—			
(1.) An instrument chargeable with any duty.			
(2.) An original will, testament, or codicil.			

£ s. d.

(3.) The probate or probate copy of a will or codicil.
(4.) Any letters of administration or any confirmation of a testament.
(5.) Any public register (*except any register of births, baptisms, marriages, deaths, or burials*).
(6.) The books, rolls, or records of any court.
In the case of an instrument chargeable with duty not amounting to one shilling - - The same duty as such instrument.
In any other case - - - - 0 1 0

Exemptions.

(1.) Copy or extract of or from any law proceeding.
(2.) Copy or extract in Scotland of or from the commission of any person as a delegate or representative to the convention of royal burghs or the general assembly or any presbytery or church court.
And *see* section 63.

COPY or EXTRACT (*certified*) of or from any register of births, baptisms, marriages, deaths, or burials - - 0 0 1

Exemptions.

(1.) Copy or extract furnished by any clergyman, registrar, or other official person pursuant to and for the purposes of any Act, or furnished to any general or superintending registrar under any general regulation.
(2.) Copy or extract for which the person giving the same is not entitled to any fee or reward.
And *see* section 64.

COPYHOLD and CUSTOMARY ESTATES—Instruments relating thereto.
Upon a sale thereof. *See* CONVEYANCE ON SALE.
Upon a mortgage thereof. *See* MORTGAGE, &c.
Upon a demise thereof. *See* LEASE OR TACK.
Upon any other occasion,
Surrender or grant made out of court, or the memorandum thereof,
and copy of court roll of any surrender or grant made in court - - - - - - 0 10 0
And *see* sections 65, 66, 67, and 68.

COST BOOK MINES. *See* TRANSFER.

COUNTERPART. *See* DUPLICATE.

COVENANT for securing the payment or repayment of money, or the transfer or retransfer of stock.
See MORTGAGE, &c.

COVENANT in relation to any annuity upon the original creation and sale thereof.
See CONVEYANCE ON SALE, and section 60.

COVENANT in relation to any annuity (*except upon the original creation and sale thereof*) or to other periodical payments.
See BOND, COVENANT, &c.

	£ s. d.
COVENANT. Any separate deed of covenant (*not being an instrument chargeable with ad valorem duty as a conveyance on sale or mortgage*) made on the sale or mortgage of any property, and relating solely to the conveyance or enjoyment of, or the title to, the property sold or mortgaged, or to the production of the muniments of title relating thereto, or to all or any of the matters aforesaid.	
Where the ad valorem duty in respect of the consideration or mortgage money does not exceed 10*s.* -	A duty equal to the amount of such ad valorem duty.
In any other case - - - - - -	0 10 0
CUSTOMARY ESTATES. *See* COPYHOLD.	
DEBENTURE for securing the payment or repayment of money or the transfer or retransfer of stock. *See* MORTGAGE, &c. AND MARKETABLE SECURITY.	
DEBENTURE or CERTIFICATE for entitling any person to receive any allowance by way of drawback or otherwise payable out of the revenue of customs or excise, for or in respect of any goods, wares, or merchandise exported or shipped to be exported from the United Kingdom to any part beyond the sea.	
Where the allowance to be received does not exceed 10*l.* -	0 1 0
Exceeds 10*l.* and does not exceed 50*l.* - - -	0 2 6
Exceeds 50*l.* - - - - - -	0 5 0
DECLARATION of any use or trust of or concerning any property by any writing, not being a will, or an instrument chargeable with ad valorem duty as a settlement - -	0 10 0
DECLARATION (*Statutory*). *See* AFFIDAVIT.	
DECREET ARBITRAL. *See* AWARD.	
DEED whereby any real burden is declared or created on lands or heritable subjects in Scotland. *See* MORTGAGE, &c., and section 86.	
DEED containing an obligation to infeft any person in heritable subjects in Scotland, under a clause of reversion, as a security for money. *See* MORTGAGE, &c., and section 86.	
DEED containing an obligation to infeft or seize in an annuity to be uplifted out of heritable subjects in Scotland. *See* BOND, COVENANT, &c.	
DEED of any kind whatsoever, not described in this schedule	0 10 0
DEFEAZANCE. Instrument of defeazance of any conveyance, transfer, disposition, assignation, or tack, apparently absolute, but intended only as a security for money or stock. *See* MORTGAGE, &c., and section 86. In respect of marketable securities under hand only, *see* AGREEMENT, and section 23.	
DELIVERY ORDER - - - - -	0 0 1
And *see* sections 69, 70, and 71.	
DEPOSIT of title deeds. *See* MORTGAGE, &c., and section 86.	
DEPUTATION or APPOINTMENT of a gamekeeper -	0 10 0
DISPENSATION. *See* FACULTY.	

	£	s.	d.
DISPOSITION of heritable property in Scotland to singular successors or purchasers. *See* CONVEYANCE ON SALE.			
DISPOSITION of heritable property in Scotland to a purchaser, containing a clause declaring all or any part of the purchase money a real burden upon, or affecting, the heritable property thereby disponed, or any part thereof. *See* CONVEYANCE ON SALE, MORTGAGE, &c., and section 86.			
DISPOSITION in Scotland, containing constitution of feu or ground annual right. *See* CONVEYANCE ON SALE, and section 56.			
DISPOSITION in security in Scotland. *See* MORTGAGE, &c.			
DISPOSITION of any wadset, heritable bond, &c. *See* MORTGAGE, &c.			
DISPOSITION in Scotland of any property or of any right or interest therein not described in this schedule - -	0	10	0
DOCK WARRANT. *See* WARRANT FOR GOODS.			
DOCKET made on passing any instrument under the Great Seal of the United Kingdom - - - -	0	2	0
DRAFT for money. *See* BILL OF EXCHANGE.			
DUPLICATE or COUNTERPART of any instrument chargeable with any duty.			
Where such duty does not amount to 5*s*. - -	The same duty as the original instrument.		
In any other case - - - - -	0	5	0
And *see* section 72.			
EIK to a reversion. *See* MORTGAGE, &c., and section 86.			
EQUITABLE MORTGAGE. *See* MORTGAGE, &c. and sections 23 and 86.			
EXCHANGE or EXCAMBION—Instruments effecting. In the case specified in section 73 *see* that section.			
In any other case - - - - -	0	10	0
EXEMPLIFICATION or CONSTAT, under the Great Seal of the United Kingdom of Great Britain and Ireland of any letters patent or grant made or to be made by Her Majesty, or by any of her royal predecessors of any honour, dignity, promotion, franchise, liberty, or privilege, or of any lands, office, or other thing whatsoever - - - -	5	0	0
EXEMPLIFICATION under the seal of any court in England or Ireland of any record or proceeding therein - -	3	0	0
EXTRACT. *See* COPY OR EXTRACT.			
FACTORY, in the nature of a letter or power of attorney in Scotland. *See* LETTER OR POWER of ATTORNEY.			
FACULTY, LICENCE, COMMISSION, or DISPENSATION for admitting or authorising any person to act as a notary public:			
In England - - - - - -	30	0	0
In Scotland or Ireland - - - - -	20	0	0

	£	s.	d.
FACULTY or DISPENSATION of any other kind :			
In England - - - - - - -	30	0	0
In Ireland - - - - - - -	25	0	0
FEU CONTRACT in Scotland. *See* CONVEYANCE ON SALE, and section 56.			
FOREIGN SECURITY. *See* MARKETABLE SECURITY AND SECTION 82.			
FURTHER CHARGE or FURTHER SECURITY. *See* MORTGAGE, &c., and section 86.			
GRANT or LETTERS PATENT under the Great Seal or wafer Great Seal of the United Kingdom of Great Britain and Ireland, or of the Great Seal of Ireland, or the Seal of the Duchy or County Palatine of Lancaster, or under the Seal kept and used in Scotland in place of the Great Seal formerly used there :			
(1.) Of the honour or dignity of a duke - - -	350	0	0
,, ,, of a marquis - - -	300	0	0
,, ,, of an earl - - -	250	0	0
,, ,, of a viscount - - -	200	0	0
,, ,, of a baron - - -	150	0	0
,, ,, of a baronet - - -	100	0	0
(2.) Of a congé d'élire to any dean and chapter for the election of an archbishop or bishop - - -			
(3.) Of the Royal Assent to, or signification of, the election made by any dean and chapter, or of the nomination and presentation by Her Majesty, in default of such election of any person to be an archbishop or bishop - - - - -	30	0	0
(4.) Of or for the restitution of the temporalities to any archbishop or bishop - - - - -			
(5.) Of any other honour, dignity, or promotion whatsoever - - - - - -			
(6.) Of any franchise, liberty, or privilege to any person or body politic or corporate - - - -			
And *see* section 74.			
GRANT or WARRANT OF PRECEDENCE to take rank among nobility, under the sign manual of Her Majesty -	100	0	0
GRANT or LICENCE under the sign manual of Her Majesty to take and use a surname and arms, or a surname only.			
In compliance with the injunctions of any will or settlement - - - - - - -	50	0	0
Upon any voluntary application - - - -	10	0	0
GRANT of arms or armorial ensigns only, under the sign manual of Her Majesty, or by any of the Kings of Arms of England, Scotland, or Ireland - - - -	10	0	0
GRANT of copyhold or customary estates. *See* CONVEYANCE—COPYHOLD.			
GRANT of the custody of the person or estate of a lunatic -	2	0	0
HERITABLE BOND. *See* MORTGAGE, &c., and section 86.			
INSURANCE. *See* POLICY.			
LEASE or TACK—			
(1.) For any definite term not exceeding a year :			
Of any dwelling-house or part of a dwelling-house at a rent not exceeding the rate of 10*l.* per annum - -	0	0	1

£ s. d.

(2.) For any definite term less than a year:—

(*a.*) Of any furnished dwelling-house or apartments where the rent for such term exceeds 25*l.* - - - 0 2 6

(*b.*) Of any lands, tenements, or heritable subjects except or otherwise than as aforesaid - - } The same duty as a lease for a year at the rent reserved for the definite term.

(3.) For any other definite term or for any indefinite term:

Of any lands, tenements, or heritable subjects—

Where the consideration, or any part of the consideration, moving either to the lessor or to any other person, consists of any money, stock, or security:

In respect of such consideration - - } The same duty as a conveyance on a sale for the same consideration.

Where the consideration or any part of the consideration is any rent:

In respect of such consideration:

If the rent, whether reserved as a yearly rent or otherwise, is at a rate or average rate:

	If the term does not exceed 35 years, or is indefinite.	If the term exceeds 35 years, but does not exceed 100 years.	If the term exceeds 100 years.
	£ s. d.	£ s. d.	£ s. d.
Not exceeding 5*l.* per annum	0 0 6	0 3 0	0 6 0
Exceeding—			
5*l.* and not exceeding 10*l.*	0 1 0	0 6 0	0 12 0
10*l.* „ „ 15*l.*	0 1 6	0 9 0	0 18 0
15*l.* „ „ 20*l.*	0 2 0	0 12 0	1 4 0
20*l.* „ „ 25*l.*	0 2 6	0 15 0	1 10 0
25*l.* „ „ 50*l.*	0 5 0	1 10 0	3 0 0
50*l.* „ „ 75*l.*	0 7 6	2 5 0	4 10 0
75*l.* „ „ 100*l.*	0 10 0	3 0 0	6 0 0
For every full sum of 50*l.*, and also for any fractional part of 50*l.* thereof. -	0 5 0	1 10 0	3 0 0

(4.) Of any other kind whatsoever not herein-before described - - - - - 0 10 0

And *see* sections 75, 76, 77, and 78.

LETTER OF ALLOTMENT and LETTER of RENUNCIATION, or any other document having the effect of a letter of allotment:

(1.) Of any share of any company or proposed company

(2.) In respect of any loan raised, or proposed to be raised, by any company or proposed company, or by any municipal body or corporation - - -

(3.) Issued or delivered in the United Kingdom, of any share of any foreign or colonial company or proposed company, or in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company - - - - - - } 0 0 1

	£	s.	d.
And SCRIP CERTIFICATE, SCRIP, or other document:			
(1.) Entitling any person to become the proprietor of any share of any company or proposed company - -			
(2.) Issued or delivered in the United Kingdom, and entitling any person to become the proprietor of any share of any foreign or colonial company or proposed company - - - - - -			
(3.) Denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by any company or proposed company, or by any municipal body or corporation -	0	0	1
(4.) Issued or delivered in the United Kingdom, and denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company - - - - -			
And *see* section 79.			
LETTER OF CREDIT. *See* BILL OF EXCHANGE.			
LETTER OR POWER OF ATTORNEY, and COMMISSION, FACTORY, MANDATE, or other instrument in the nature thereof:			
(1.) For the sole purpose of appointing or authorising a proxy to vote at any one meeting at which votes may be given by proxy, whether the number of persons named in such instrument be one or more - - -	0	0	1
(2.) By any petty officer, seaman, marine, or soldier serving as a marine, or his representatives, for receiving prize money or wages - - - - -	0	1	0
(3.) For the receipt of the dividends or interest of any stock:			
Where made for the receipt of one payment only -	0	1	0
In any other case - - - - -	0	5	0
(4.) For the receipt of any sum of money, or any bill of exchange or promissory note for any sum of money, not exceeding 20*l.*, or any periodical payments not exceeding the annual sum of 10*l.* (*not being herein-before charged*)	0	5	0
(5.) For the sale, transfer, or acceptance of any of the Government or Parliamentary stocks or funds:			
Where the value of the stocks or funds does not exceed ~~20*l.*~~ 1*l.* - - - - - -	0	~~5~~ 2. 6	0
In any other case - - - - -	0	10	0
(6.) Of any kind whatsoever not herein-before described -	0	10	0

Exemptions.

(1.) Letter or power of attorney for the receipt of dividends of any definite and certain share of the Government or Parliamentary stocks or funds producing a yearly dividend less than 3*l.*

(2.) Letter or power of attorney or proxy filed in the Probate Division of the High Court of Justice in England or Ireland, or in any ecclesiastical court.

(3.) Order, request, or direction under hand only from the proprietor of any stock to any company or to any officer of any company or to any banker to pay the dividends or interest arising from the stock to any person therein named.

And *see* sections 80 and 81.

	£	s.	d.
LETTERS OF MARQUE AND REPRISAL - -	5	0	0

LETTERS PATENT. *See* GRANT.

LETTER OF REVERSION in Scotland. *See* MORTGAGE, &c., and section 86.

LICENCE for Marriage.

Special—			
In England or Ireland - - - - -	5	0	0
Not special—			
In England - - - - - -	0	10	0

LICENCE under the seal of any archbishop, bishop, chancellor, or other ordinary, or by any ecclesiastical court in England or Ireland, or by any presbytery or other ecclesiastical power in Scotland :

(1.) To hold the office of lecturer, reader, chaplain, church clerk, chapel clerk, parish clerk, or sexton - -			
(2.) For licensing a building for the performance of divine service within an ecclesiastical district formed under the provisions of the New Parishes Acts -	0	10	0
(3.) For licensing any chapel for the solemnization of marriages therein, pursuant to the provisions of the Act 6 & 7 Will. 4. c. 85. - - - -			
(4.) For any other purpose - - - -	2	0	0

Exemptions.

(1.) Licence granted to any spiritual person to perform divine service in any building approved by the archbishop or bishop in lieu of a church or chapel whilst the same is under repair or is rebuilding, or in any building so approved for the convenience of the inhabitants of a parish resident at a distance from a church or consecrated chapel.

(2.) Licence to hold a perpetual curacy.

(3.) Licence to a stipendiary curate, wherein the annual amount of the stipend is specified.

(4.) Licence for the purpose of authorising or enabling any person to preach or exercise any other spiritual function, not being a licence to hold the office of lecturer, reader, or chaplain, and there being no salary or emolument for or attached to the exercise of the function for which such licence is granted.

(5.) Licence by any ecclesiastical authority for licensing or authorising any matter relating to a consecrated building or ground, or anything to be constructed, set up, taken down, or altered therein, or to be removed therefrom.

LICENCE to act as a notary public. *See* FACULTY.

LICENCE to use surname or arms. *See* GRANT.

MARKETABLE SECURITY and FOREIGN or COLONIAL SHARE CERTIFICATE.

£ s. d.

(1.) Marketable security (*a*) being a colonial government security or (*b*) being a security not transferable by delivery or (*c*) being a security transferable by delivery and bearing date or signed ~~or offered for subscription~~ before or on the sixth day of August one thousand eight hundred and eighty-five—

For or in respect of the "money thereby secured" - { The same ad valorem duty according to the nature of the security as upon a mortgage.

(2.) TRANSFER, ASSIGNMENT, DISPOSITION, or ASSIGNATION of a marketable security of any description—

Upon a sale thereof—*see* conveyance or transfer on sale.

Upon a mortgage thereof—*see* mortgage of stock or marketable security.

In any other case than a sale or mortgage - - 0 10 0

(3.) Marketable security (except a colonial government security) being a security transferable by delivery and bearing date or signed or offered for subscription after the sixth day of August one thousand eight hundred and eighty-five—

For every 10*l.* and also for any fractional part of 10*l.*, of the money thereby secured - - - 0 1 0

(4.) Marketable security (except a colonial government security) being such security as last aforesaid given in substitution for a like security duly stamped in conformity with the law in force at the time when it became subject to duty—

For every 20*l.*, and also for any fractional part of 20*l.*, of the money thereby secured - - - 0 0 6

(5.) Marketable security transferable by delivery whatever may be the date thereof, and wherever it may have been made or issued, or the interest may be payable.

On the occasion of the first transfer thereof by delivery in the United Kingdom, and on the occasion of the first transfer thereof by delivery in the United Kingdom in any year after the year in which such first transfer by delivery shall happen—

Where the amount secured does not exceed twenty-five pounds - - - - - - 0 0 3

Exceeds twenty-five pounds and does not exceed fifty pounds - - - - - - 0 0 6

Exceeds fifty pounds, for every fifty pounds and any fractional part of fifty pounds of such amount - 0 0 6

Exemption.

Any security, duly stamped with the duty of one shilling for every ten pounds, and also for any fractional part of ten pounds of the money thereby secured, or duly stamped as a substituted security for any security so stamped where such substituted security bears an impressed stamp denoting that the security for which it was substituted was so duly stamped.

	£	s.	d.
(6.) Foreign or Colonial share certificate.			
On the occasion of the first delivery thereof in the United Kingdom, and on the occasion of the first delivery thereof in the United Kingdom in any year after the year in which such first delivery shall happen—			
Where the nominal amount in money of the stock or debenture stock or funded debt does not exceed twenty-five pounds - - - - -	0	0	3
Exceeds twenty-five pounds and does not exceed fifty pounds - - - - - -	0	0	6
Exceeds fifty pounds, for every fifty pounds and any fractional part of fifty pounds of such amount -	0	0	6

And *see* sections 82, 83, 84, and 85.

MARRIAGE LICENCE. *See* LICENCE.

MARRIAGE SETTLEMENT. *See* SETTLEMENT.

MEMORIAL to be registered pursuant to any Act for the time being in force relating to the public registering of deeds in England or Ireland :

Where the instrument registered is chargeable with any duty not amounting to 2*s.* 6*d.* - - - -	The same duty as the registered instrument.		
In any other case - - - - - -	0	2	6

MORTGAGE, BOND, DEBENTURE, COVENANT (except a marketable security otherwise specially charged with duty), and WARRANT OF ATTORNEY to confess and enter up judgment.

(1.) Being the only or principal or primary security (other than an equitable mortgage) for the payment or repayment of money—

Not exceeding 10*l.* - - - - -	0	0	3
exceeding 10*l.* and not exceeding 25*l.* - -	0	0	8
„ 25*l.* „ 50*l.* - -	0	1	3
„ 50*l.* „ 100*l.* - -	0	2	6
„ 100*l.* „ 150*l.* - -	0	3	9
„ 150*l.* „ 200*l.* - -	0	5	0
„ 200*l.* „ 250*l.* - -	0	6	3
„ 250*l.* „ 300*l.* - -	0	7	6
„ 300*l.*			
For every 100*l.*, and also for any fractional part of 100*l.*, of the amount secured - - - - -	0	2	6

(2.) Being a collateral, or auxiliary, or additional, or substituted security (other than an equitable mortgage), or by way of further assurance for the above-mentioned purpose where the principal or primary security is duly stamped : For every 100*l.*, and also for any fractional part of 100*l.*, of the amount secured - - - - - 0 0 6

(3.) Being an equitable mortgage :

For every 100*l.*, and any fractional part of 100*l.*, of the amount secured - - - - - 0 1 0

(4.) TRANSFER, ASSIGNMENT, DISPOSITION, or ASSIGNATION of any mortgage, bond, debenture, or covenant (except a marketable security), or of any money or

	£	s.	d.
stock secured by any such instrument, or by any warrant of attorney to enter up judgment, or by any judgment:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the amount transferred, assigned, or disponed, exclusive of interest which is not in arrear	0	0	6
And also where any further money is added to the money already secured - - - - -	The same duty as a principal security for such further money.		
(5.) RECONVEYANCE, RELEASE, DISCHARGE, SURRENDER, RESURRENDER, WARRANT TO VACATE, or RENUNCIATION of any such security as aforesaid, or of the benefit thereof, or of the money thereby secured:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the total amount or value of the money at any time secured - - - - - -	0	0	6

And *see* sections 86, 87, 88, and 89.

MORTGAGE OF STOCK or Marketable Security—
Under hand only. *See* AGREEMENT, and section 23.
By deed. *See* MORTGAGE, and section 86.

MUTUAL DISPOSITION or Conveyance in Scotland. *See* EXCHANGE or EXCAMBION.

NOTARIAL ACT of any kind whatsoever (*except a protest of a bill of exchange or promissory note or any notarial instrument to be expeded and recorded in any register of sasines*) - - - - - - - - 0 1 0

And *see* PROTEST, SEISIN, and section 90.

ORDER for the payment of money. *See* BILL OF EXCHANGE.

PARTITION or DIVISION—Instruments effecting.
In the case specified in section 73, *see* that section.
In any other case - - - - - - 0 10 0

PASSPORT - - - - - - - - 0 0 6

POLICY OF SEA INSURANCE—

(1.) Where the premium or consideration does not exceed the rate of 2*s.* 6*d.* per centum of the sum insured - 0 0 1

(2.) In any other case—

(*a.*) For or upon any voyage—
In respect of every full sum of 100*l.*, and also any fractional part of 100*l.* thereby insured - - 0 0 3

(*b.*) For time—
In respect of every full sum of 100*l.*, and also any fractional part of 100*l.* thereby insured—
Where the insurance shall be made for any time not exceeding six months - - - - 0 0 3
Where the insurance shall be made for any time exceeding six months and not exceeding twelve months - - - - - - 0 0 6

And *see* sections 91, 92, 93, 94, 95, 96, and 97.

	£	s.	d.
POLICY OF LIFE INSURANCE—			
Where the sum insured does not exceed 10*l.* - -	0	0	1
Exceeds 10*l.* but does not exceed 25*l.* - - -	0	0	3
Exceeds 25*l.* but does not exceed 500*l.*:			
For every full sum of 50*l.*, and also for any fractional part of 50*l.*, of the amount insured - - -	0	0	6
Exceeds 500*l.* but does not exceed 1,000*l.*:			
For every full sum of 100*l.*, and also for any fractional part of 100*l.*, of the amount insured - -	0	1	0
Exceeds 1,000*l.*:			
For every full sum of 1,000*l.*, and also for any fractional part of 1,000*l.*, of the amount insured - -	0	10	0
And *see* sections 91, 98, and 100.			
POLICY OF INSURANCE AGAINST ACCIDENT and POLICY of insurance for any payment agreed to be made during the sickness of any person, or his incapacity from personal injury, or by way of indemnity against loss or damage of or to any property - - -	0	0	1
And *see* sections 91, 98, 99, and 100.			
POWER OF ATTORNEY. *See* LETTER OF ATTORNEY.			
PRECEPT OF CLARE CONSTAT to give seisin of lands or other heritable subjects in Scotland - - -	0	5	0
PROCURATION, deed, or other instrument of - -	0	10	0
PROMISSORY NOTE. *See* BANK NOTE, BILL OF EXCHANGE.			
PROTEST of any bill of exchange or promissory note:			
Where the duty on the bill or note does not exceed 1*s.* - { The same duty as the bill or note.			
In any other case - - - - -	0	1	0
And *see* section 90.			
PROXY. *See* LETTER OR POWER OF ATTORNEY.			
RECEIPT given for, or upon the payment of, money amounting to 2*l.* or upwards - - - - -	0	0	1

Counsel for - within Act
Gt. C. & N. Rly v C. S. R.
1907 1 KB. 462

Exemptions.

(1.) Receipt given for money deposited in any bank, or with any banker, to be accounted for and expressed to be received of the person to whom the same is to be accounted for.

(2.) Acknowledgment by any banker of the receipt of any bill of exchange or promissory note for the purpose of being presented for acceptance or payment.

(3.) Receipt given for or upon the payment of any parliamentary taxes or duties, or of money to or for the use of Her Majesty.

(4.) Receipt given by an officer of a public department of the State for money paid by way of imprest or advance, or in adjustment of an account, where he derives no personal benefit therefrom.

(5.) Receipt given by any agent for money imprested to him on account of the pay of the army.

(6.) Receipt given by any officer, seaman, marine or soldier, or his representatives, for or on account of any wages, pay or pension, due from the Admiralty or Army Pay Office.

£ s. d.

(7.) Receipt given for any principal money or interest due on an exchequer bill.

(8.) ~~Receipt written upon a bill of exchange or promissory note duly stamped, or upon~~ a bill drawn by any person ~~under the authority of the Admiralty, upon and payable by the Accountant General of the Navy~~.

(9.) Receipt given upon any bill or note of the Bank of England or the Bank of Ireland.

(10.) Receipt given for the consideration money for the purchase of any share in any of the Government or Parliamentary stocks or funds, or in the stocks and funds of the Secretary of State in Council of India, or of the Bank of England, or of the Bank of Ireland, or for any dividend paid on any share of the said stocks or funds respectively.

(11.) Receipt indorsed or otherwise written upon or contained in any instrument liable to stamp duty, and duly stamped, acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal money, interest, or annuity thereby secured or therein mentioned.

(12.) Receipt given for any allowance by way of drawback or otherwise upon the exportation of any goods or merchandise from the United Kingdom.

(13.) Receipt given for the return of any duty of customs upon a certificate of over entry.

And *see* sections 101, 102, and 103.

RECONVEYANCE, RELEASE, or RENUNCIATION of any security. *See* MORTGAGE, &c.

RELEASE or RENUNCIATION of any property, or of any right or interest in any property—

Upon a sale. *See* CONVEYANCE ON SALE.

By way of security. *See* MORTGAGE, &c.

In any other case - - - - - - 0 10 0

RENUNCIATION. *See* RECONVEYANCE and RELEASE.

RENUNCIATION, LETTER OF. *See* LETTER of ALLOTMENT.

RESIGNATION. Principal or original instrument of resignation, or service of cognition of heirs, or charter or seisin of any houses, lands, or other heritable subjects in Scotland holding burgage, or of burgage tenure - - - - 0 5 0

And instrument of resignation of any lands or other heritable subjects in Scotland not of burgage tenure - - 0 5 0

REVOCATION of any use or trust of any property by any writing, not being a will - - - - - - 0 10 0

SCRIP CERTIFICATE or SCRIP. *See* LETTER OF ALLOTMENT.

SEISIN. Instrument of seisin given upon any charter, precept of clare constat, or precept from chancery, or upon any wadset, heritable bond, disposition, apprizing, adjudication, or otherwise of any lands or heritable subjects in Scotland - - 0 5 0

And any NOTARIAL INSTRUMENT to be expeded and recorded in any register of sasines - - - - 0 5 0

£ s. d.

SETTLEMENT. Any instrument, whether voluntary or upon any good or valuable consideration, other than a bonâ fide pecuniary consideration, whereby any definite and certain principal sum of money (whether charged or chargeable on lands or other hereditaments or heritable subjects, or not, or to be laid out in the purchase of lands or other hereditaments or heritable subjects or not), or any definite and certain amount of stock, or any security, is settled or agreed to be settled in any manner whatsoever :

For every 100*l.*, and also for any fractional part of 100*l.*, of the amount or value of the property settled or agreed to be settled - - - - - - 0 5 0

Exemption.

Instrument of appointment relating to any property in favour of person's specially named or described as the objects of a power of appointment, where duty has been duly paid in respect of the same property upon the settlement creating the power or the grant of representation of any will or testamentary instrument creating the power.

And *see* sections 104, 105, and 106.

SHARE CERTIFICATE, FOREIGN AND COLONIAL. *See* MARKETABLE SECURITY.

SHARE WARRANT issued under the provisions of the Companies Act, 1867, and STOCK CERTIFICATE to bearer. A duty of an amount equal to three times the amount of the ad valorem stamp duty which would be chargeable on a deed transferring the share or shares or stock specified in the warrant or certificate if the consideration for the transfer were the nominal value of such share or shares or stock.

And *see* sections 107, 108, and 109.

SUPERANNUATION ANNUITY. *See* BOND, COVENANT, &c.

SURRENDER—

Of copyholds. *See* COPYHOLD.

Of any other kind whatsoever not chargeable with duty as a conveyance on sale or a mortgage - - - 0 10 0

TACK of lands, &c. in Scotland. *See* LEASE or TACK.

TACK IN SECURITY. *See* MORTGAGE, &c.

TRANSFER. *See* CONVEYANCE or TRANSFER.

TRANSFER. Any request or authority to the purser or other officer of any mining company, conducted on the cost book system, to enter or register any transfer of any share, or part of a share, in any mine, or any notice to such purser or officer of any such transfer - - - - 0 0 6

And *see* section 110.

	£	s.	d.
VALUATION. *See* APPRAISEMENT.			
VOTING PAPER. Any instrument for the purpose of voting by any person entitled to vote at any meeting of any body exercising a public trust, or of the shareholders, or members, or contributors to the funds of any company, society, or institution - - - - - -	0	0	1
And *see* section 80.			
WADSET. *See* MORTGAGE, &c.			
WARRANT OF ATTORNEY to confess and enter up a judgment given as a security for the payment or repayment of money, or for the transfer or retransfer of stock. *See* MORTGAGE, &c.			
WARRANT OF ATTORNEY of any other kind -	0	10	0
WARRANT FOR GOODS - - - - -	0	0	3
Exemptions.			
(1.) Any document or writing given by an inland carrier acknowledging the receipt of goods conveyed by such carrier.			
(2.) A weight note issued together with a duly stamped warrant, and relating solely to the same goods, wares, or merchandise.			
And *see* section 111.			
WARRANT under the sign manual of Her Majesty - -	0	10	0
WRIT—			
(1.) Of ACKNOWLEDGMENT under the Registration of Leases (Scotland) Act, 1857 - - -			20 & 21 Vict. c. 26.
(2.) Of ACKNOWLEDGMENT by any person infeft in lands in Scotland in favour of the heir or disponee of a creditor fully vested in right of an heritable security constituted by infeftment - - - -	0	5	0
(3.) Of RESIGNATION and CLARE CONSTAT - -			

GENERAL EXEMPTIONS FROM ALL STAMP DUTIES.

(1.) Transfers of shares in the Government or Parliamentary stocks or funds.

(2.) Instruments for the sale, transfer, or other disposition either absolutely or by way of mortgage, or otherwise, of any ship or vessel, or any part, interest, share, or property of or in any ship or vessel.

(3.) Instruments of apprenticeship, bonds, contracts, and agreements entered into in the United Kingdom for or relating to the service in any of Her Majesty's colonies or possessions abroad of any person as an artificer, clerk, domestic servant, handicraftsman, mechanic, gardener, servant in husbandry, or labourer.

(4.) Testaments, testamentary instruments, and dispositions mortis causâ in Scotland.

(5.) Bonds given to sheriffs or other persons in Ireland upon the replevy of any goods or chattels, and assignments of such bonds.

(6.) Instruments made by, to, or with the Commissioners of Works for any of the purposes of the Act 15 & 16 Vict. c. 28.

SECOND SCHEDULE.

RULES AS TO COMPOSITION FOR STAMP DUTIES.

First Part.

Section 115.

1. Every account shall be made in such form and shall contain all such particulars as the Commissioners shall require.

2. Every account shall be a full and true account of all stock and funded debt existing at the time of the delivery of the account, and of the amount thereof in respect of which payment has been made, if the whole sums payable in respect thereof have not been paid.

3. In the case of any company or corporation formed within the United Kingdom, and having registers abroad in which stock or funded debt may be registered, the stock or funded debt of such company or corporation shall not for the purposes of the account include the stock or funded debt for the time being registered abroad.

4. In the case of any colonial or foreign company or corporation having registers in the United Kingdom in which stock or funded debt are registered, the stock or funded debt for the time being registered in the United Kingdom shall for the purposes of the account be regarded as constituting all the stock or funded debt of the company or corporation.

5. Where the first account shall be delivered at any time between two half-yearly days, such account shall be charged with an amount of duty proportionate to the period between the date of the delivery of the account and the first succeeding half-yearly day.

6. Accounts shall be delivered to the Commissioners on or within seven days before the first day of February and the first day of August in each year.

7. The duty shall be paid upon the delivery of the account.

Second Part.

Section 116.

1. Every account shall be made in such form and shall contain all such particulars as the Commissioners shall require.

2. Every account shall be a full and true account of all unstamped policies of insurance against accident issued during the quarter of a year ending on the quarterly day next preceding the delivery thereof, and of all sums of money received for or in respect of such policies so issued during that quarter, and of all sums of money received and not already accounted for in respect of any other unstamped policies of insurance against accident issued at any time before the commencement of that quarter.

3. Accounts shall be delivered to the Commissioners within twenty days after the fifth day of April, the fifth day of July, the tenth day of October, and the fifth day of January in each year.

4. The duty shall be paid upon the delivery of the account.

THIRD SCHEDULE.

Section 123.

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
57 Geo. 3. c. 41. -	An Act to repeal two Acts passed in the fifty-fourth and fifty-fifth years of His present Majesty relating to the office of the Agent-General, and for transferring the duties of the said offices to the office of the Paymaster-General and Secretary at War.	Section eight.
9 & 10 Vict. c. 17. -	An Act for the abolition of the exclusive privilege of trading in burghs in Scotland.	Section one from "Provided always" to the end of the section.
28 & 29 Vict. c. 30. -	An Act to grant certain duties of customs and inland revenue.	Sections one and two, and Schedule B.
30 & 31 Vict. c. 23. -	An Act to grant and alter certain duties of customs and inland revenue, and for other purposes relating thereto.	Except sections seventeen and eighteen.
33 & 34 Vict. c. 24. -	An Act for making further provision respecting the borrowing of money by the Metropolitan Board of Works.	Sections three and four.
33 & 34 Vict. c. 97. -	The Stamp Act, 1870 - -	Except section twenty-five so far as it relates to provision (3) and sections twenty-seven and twenty-eight.
34 & 35 Vict. c. 4. -	An Act to amend the Stamp Act, 1870, in relation to foreign securities, mortgages of stock, and proxy papers.	The whole Act.
34 & 35 Vict. c. 103.	An Act to amend the law relating to the customs and inland revenue.	Section twenty-six.
36 & 37 Vict. c. 18. -	The Customs and Inland Revenue Act, 1873.	Section five.
37 & 38 Vict. c. 19. -	An Act to amend the Stamp Act, 1870, in regard to the stamp duty payable by advocates in Scotland on admission as barristers in England or Ireland, and by barristers in England or Ireland on admission as advocates in Scotland.	The whole Act.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
37 & 38 Vict. c. 26. -	The Canadian Stock Stamp Act, 1874.	The whole Act.
39 & 40 Vict. c. 6. -	The Sea Insurance (Stamping of Policies) Amendment Act, 1876.	The whole Act.
39 & 40 Vict. c. 16. -	The Customs and Inland Revenue Act, 1876.	Section eleven.
40 & 41 Vict. c. 59. -	The Colonial Stock Act, 1877 -	Section two, and the first paragraph of section three.
41 & 42 Vict. c. 15. -	The Customs and Inland Revenue Act, 1878.	Section twenty-seven.
43 & 44 Vict. c. 20. -	The Inland Revenue Act, 1880	Sections fifty-three to fifty-six.
44 & 45 Vict. c. 12. -	The Customs and Inland Revenue Act, 1881.	Sections forty-four to forty-seven.
45 & 46 Vict. c. 72. -	The Revenue, Friendly Societies, and National Debt Act, 1882.	Sections eight to ten, thirteen, fourteen, and seventeen.
46 & 47 Vict. c. 55. -	The Revenue Act, 1883 -	Section fifteen.
47 & 48 Vict. c. 62. -	The Revenue Act, 1884 -	Sections eight to ten.
48 & 49 Vict. c. 51. -	The Customs and Inland Revenue Act, 1885.	Section twenty-one.
50 & 51 Vict. c. 15. -	The Customs and Inland Revenue Act, 1887.	Sections five to sixteen.
51 & 52 Vict. c. 8. -	The Customs and Inland Revenue Act, 1888.	Sections ten to twenty, and the First Schedule.
52 & 53 Vict. c. 7. -	The Customs and Inland Revenue Act, 1889.	Sections sixteen and seventeen.
52 & 53 Vict. c. 42. -	The Revenue Act, 1889 -	Sections fifteen to seventeen, and twenty.
53 & 54 Vict. c. 8. -	The Customs and Inland Revenue Act, 1890.	Sections eighteen to twenty-one.

CHAPTER 40.

An Act to provide Compensation for Owners of Property suffering through the Subsidence of the Ground caused by the pumping of Brine. [28th July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

(i.) *Preliminary.*

Short title.

1. This Act may be cited as the Brine Pumping (Compensation for Subsidence) Act, 1891.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

(ii.) *Formation of Compensation District.*

Application for order for formation of district.

3. Any owner or owners of land in any county of a rateable value in the aggregate of not less than two thousand pounds, and any sanitary authority in any county, may apply to the Local Government Board by memorial, alleging that subsidence of land belonging to such owner or owners, or situate within the district of such authority, is caused by brine pumping operations, whereby loss or damage is occasioned, and praying that a compensation district may be formed under this Act, with such boundaries as shall be described in the memorial, or such other boundaries as the Local Government Board shall fix.

Inquiry on receipt of memorial.

4. On the receipt of the memorial, the Local Government Board may, if they think a sufficient primâ facie case has been made out, and after requiring (if they think fit) security to be given for any costs which may be incurred by the Board in relation to any local inquiry under this section, direct a local inquiry to be held by an inspector as to the expediency of forming the proposed district and as to the boundaries to be assigned to such district, and as to any further incidental matters in relation thereto as the Board may think fit.

Procedure on inquiry.

5. Before a local inquiry under this Act is held, the Local Government Board shall cause to be given public notice by advertisement in local newspapers, or otherwise, in such manner as they think fit, of the time and place at which the inquiry will be held, and the inspector shall hear all persons locally interested appearing before him and desirous of being heard in relation to the formation of the district, and the establishment of a compensation board under this Act.

Formation of district by Provisional Order.

6.—(1.) If the Local Government Board after receiving the report of their inspector determine to form a compensation district as prayed by the memorial, or with addition of any lands or exclusive of any of the lands proposed by the memorial to be

included in the district, the Local Government Board shall frame a draft provisional order forming a compensation district and establishing a compensation board under this Act in such manner as they think expedient having regard to all the circumstances of the case.

(2.) The Local Government Board shall cause printed copies of the draft order to be deposited with the clerk of the county council of the county or counties in which the district or any part of the district proposed to be formed by the draft order is situate and with the sanitary authority or authorities exercising jurisdiction in such district or any part thereof. The copies so deposited shall be open to inspection without fee by all owners and occupiers of land and by all brine pumpers within the district.

(3.) The Local Government Board shall also cause notice to be given of such deposit of copies and of the purport of the draft order by advertisement in two successive weeks in some local newspaper circulating in the district proposed to be formed by the draft order.

Confirmation, &c. of Provisional Orders.

7.—(1.) The Local Government Board may submit to Parliament for confirmation any provisional order made by the Board in pursuance of this Act, but any such order shall be of no force whatever unless and until it is confirmed by Parliament.

(2.) If while the Bill confirming any such order is pending in either House of Parliament a petition is presented against any order comprised therein, the Bill so far as it relates to such order may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of private Bills.

(3.) Any Act confirming any provisional order made under this Act may be repealed, altered, or amended by any provisional order made by the Local Government Board and confirmed by Parliament.

(4.) The Local Government Board may revoke either wholly or partially any provisional order made by them before the same is confirmed by Parliament, but such revocation shall not be made whilst the Bill confirming the order is pending in either House of Parliament.

(5.) The making of a provisional order shall be primâ facie evidence that all the requirements of this Act in respect of proceedings required to be taken previously to the making of such provisional order have been complied with.

(6.) Every Act confirming any such provisional order shall be deemed to be a Public General Act.

(7.) The reasonable costs sanctioned by the Local Government Board of the sanitary authority in or about any inquiry by that Board in pursuance of this Act and in or about the promotion of or opposition to any provisional order under this Act shall be payable out of the fund or rate applicable to the general expenses of such authority.

Alteration of boundaries of the district.

8.—(1.) The boundaries of any compensation district may be altered by the Local Government Board on such application as in this section provided, but after the like inquiry and with the like proceedings as to a provisional order as in the case of the

formation of a district, and for the purpose of such alteration the foregoing provisions relating to an inquiry and a provisional order shall apply so far as practicable.

(2.) An application for the alteration of the boundaries of a compensation district may be made by any brine pumper and by any person or body of persons authorised to apply under this Act to the Local Government Board for the formation of a compensation district, except that in the case of an application by an owner or owners of property the aggregate rateable value of the property of such owner or owners for the purposes of this section shall be not less than five hundred pounds.

(iii.) *Compensation Boards.*

Compensation board for each district.

9. For every district formed under this Act there shall be a compensation board constituted of a number of members (not exceeding nine).

Incorporation of board.

10.—(1.) Every compensation board shall be a body corporate by the name specified in the order establishing such board with perpetual succession and a common seal, and with power to acquire and hold lands for the purposes of their constitution without any licence in mortmain.

(2.) No act or proceeding of a board, or of any committee appointed by the board, shall be questioned on account of any vacancy in their body.

Election of members and incidental matters.

11.—(1.) Of the members of every compensation board—

One third, not being brine pumpers or persons employed by them for the purposes of their business, shall be appointed by the county council or councils of the county or counties in which the district is situated;

One third shall be elected by the brine pumpers within the district;

One third, not being brine pumpers or persons employed by them for the purposes of their business, shall be appointed by the sanitary authority or authorities, other than the council of a county borough, having jurisdiction within the district.

(2.) An order of the Local Government Board under this Act shall contain all such provisions, subject to the provisions of this Act, for the number of members of the compensation board to be established for the district, and for their election, appointment, and retirement, and for the formation and revision of a register of persons entitled to vote at elections, the number of votes to which each brine pumper shall be entitled, and for any other matters as may seem to the Local Government Board expedient.

Chairman of board.

12.—(1.) A board shall at their first meeting after their constitution, and at their first meeting in each subsequent year, choose one of their members to be chairman and one other of their members to be vice-chairman, and the members so chosen

shall continue in office until the next meeting at which a chairman and vice-chairman are to be chosen pursuant to the above provision.

(2.) If any casual vacancy occur in the office of chairman or vice-chairman, the board shall as soon as conveniently may be after the occurrence of such vacancy choose one of their members to fill such vacancy; and every chairman or vice-chairman so chosen as last aforesaid shall continue in office so long only as the person in whose place he is chosen would have been entitled to continue in office.

Resignation of members.

13. A member of a compensation board may resign his office by notifying in writing his intention so to do to the chairman or clerk of the board for the time being.

Casual vacancies.

14. Any casual vacancy in a compensation board occurring by death, resignation, or otherwise shall be filled up in manner to be decided by the regulations of the Local Government Board by the body of persons by whom the vacating member was originally chosen, as soon as reasonably practicable after the occurrence of the vacancy; but a member so chosen shall retain his office so long only as the vacating member would have retained the same if no vacancy had occurred.

Meetings and proceedings of boards.

15. Meetings of compensation boards shall be held and the proceedings thereat shall be conducted in accordance with the rules as to meetings and proceedings contained in the schedule to this Act.

Minutes of proceedings, &c.

16.—(1.) A minute of proceedings at a meeting of a compensation board or of a committee, signed at the same or at the next ensuing meeting by any person describing himself as, or appearing to be, chairman of the meeting or committee at which the minute is signed, shall be received in evidence without further proof.

(2.) Until the contrary is proved, every meeting of a compensation board or committee whereof a minute has been so made, shall be deemed to have been duly convened and held, and all the members of the meeting shall be deemed to have been duly qualified.

Committees of boards.

17. A board may, from time to time, appoint one or more committee or committees for any of the purposes of this Act, and may fix the quorum of any committee, and prescribe the manner in which the business of a committee shall be conducted: Provided that no rate shall be made or declared, nor any award of compensation made or allowed or disallowed, except at a general meeting of the board.

Power to appoint officers.

18. A board may appoint and pay such surveyors and other officers as they think necessary, and they may make all such surveys and valuations as they think necessary.

Regulations by boards.

19. A board may from time to time make regulations for defining the duties of any officers or servants of the board.

20. A board may invest any moneys for the time being in their hands, and not immediately required for the purposes of this Act, in any securities in which trustees are for the time being empowered by law to invest trust moneys, or may place such moneys on deposit in any bank. Power to invest moneys.

(iv.) *Compensation Fund and Claims thereon.*

21.—(1.) Every board shall form and maintain a compensation fund for their district. District compensation funds.

(2.) The compensation fund for the district shall be formed and maintained by the assessment and levy as in this Act provided of such rate (not exceeding the limit or rate herein-after mentioned) for every one thousand gallons of brine pumped or raised within the district as the board from time to time think necessary and order to be levied.

(3.) The compensation fund for a district shall be solely applicable to compensation for damage happening within that district arising from subsidence, and for the expenses and liabilities of the board, and costs allowed by the board to any claimant or objector.

22. The damage for which compensation may be made under this Act shall be damage of any of the following kinds (and no other) arising from subsidence which has happened after the passing of this Act :— Damage for which compensation may be made.

(1.) Depreciation of land (but not including any erection or works on or under such land except as herein-after in this section provided) which shall subside or become permanently submerged, including any necessary expense of fencing in such land :

(2.) Destruction or structural damage of buildings and walls of all kinds, but not including damage to machinery or fixtures, whether removable or not :

(3.) The proper and necessary expense of building retaining walls or bolting together or underpinning or otherwise supporting, raising, or repairing buildings and walls :

(4.) The proper and necessary expense of altering the approaches to or the levels of lands or buildings :

(5.) The proper and necessary expense of raising, lowering, diverting, or making good private roads, bridges, fences, sewers, or drains.

Provided that no claim shall be made by any person unless he has such title to or interest in the property so damaged or some part thereof as would entitle him to recover in respect of such damage if the same had been caused by the wrongful excavation by any other person of strata underlying or supporting such property, and no claim shall be made except for damage as herein-before defined, and any compensation award shall in no case exceed the amount of the actual loss sustained by the person making the claim (herein referred to as the claimant), or exceed the amount of the expense necessary to make good any damage sustained, as herein-before defined, all circumstances which in the opinion of the board or other tribunal are material being taken into consideration.

The compensation board shall have power to make contributions out of any sum to be levied under this Act towards the extra cost of building, rebuilding, or replacing any existing or future building within the area of its district on some system or style of building whereby it can conveniently be raised, and may also provide plans and models of buildings recommended as suitable and convenient for the purpose aforesaid.

Claims for compensation.

23.—(1.) Any claimant who alleges the following matters, that is to say—

(i.) That any damage as in this Act defined has been caused to any property by subsidence of the same or of any other land, and that the subsidence is the result of pumping or raising of brine, and has happened after the passing of this Act; and

(ii.) That he has such title to or interest in the property so damaged or some part thereof as would entitle him to recover in respect of such damage if the same had been caused by the wrongful excavation by any other person of strata underlying or supporting such property;

and who has given notice in writing to the board, or if there be no such board, then to the sanitary authority of the district in which such property is situated, of such damage within six months after the same became apparent, may send in to the board a claim for such damage to the extent of his title or interest.

(2.) It shall be lawful for a compensation board from time to time by regulations under this Act to prescribe the form of any such claim and the time within which and the manner in which any such claim shall be made, and the proofs by which the claim is to be accompanied, and no claim shall be allowed with respect to any damage of which the prescribed notice shall not have been given, nor in respect of which the provisions of such regulations (unless dispensed with for cause which the board shall deem reasonable and sufficient) are not observed.

(3.) Every board shall, once or oftener in each year, give notice by such advertisement as shall be prescribed in such regulations requiring all claims intended to be made under this Act to be sent in to such board, and requiring such claims to be so sent in within a time to be named in such advertisement.

(4.) On the expiration of the period within which claims are to be sent in to the board, such board shall give to every brine pumper within their district notice of all claims (if any) received by such board, specifying in such notice the names of the claimants, the amount claimed, and the property in respect of which each such claim is made, and shall give by advertisement in any newspaper circulating in the district one month's notice of the day on which such board intends to proceed to adjudicate on such claims.

(5.) The board shall, on the day appointed for adjudication, and on any subsequent day or days appointed by them for the purpose, consider all claims duly made and which have not been previously adjudicated on, and shall, so far as they think practicable and convenient, adjudicate thereon in such manner as they shall think fit,

and allow or disallow all such claims or any items thereof, or by agreement with the claimant may refer any claim to arbitration.

Mode of dealing with claims.

24. A board shall disallow any claim for damage which in their opinion was not caused by subsidence of any land or was caused by subsidence of land which is proved not to have been caused by brine pumping, or in respect of which in their opinion (subject to appeal as in this Act mentioned) the claimant has not such title or interest as would entitle him to recover under this Act; and shall disallow any claim to the extent to which in their opinion the damage in respect of which the claim was made has been occasioned or increased by any neglect or default of the claimant or of any person by whose acts he is affected or bound, or by the buildings or other matters in respect of which the claim was made, having been of an unnecessarily expensive kind, or improperly constructed, having regard to the liability of the district or any part thereof to subsidence. The brine pumpers shall be entitled to be heard before the board on all claims exceeding one thousand pounds.

Power to board to commute claims.

25. A board may, by resolution passed at a meeting whereof not less than twenty-one days notice specifying the objects of the meeting has been served on the members of the board, provide that the damage in any particular case, if in their opinion likely to recur or to be permanent or to continue for a number of years, shall be ascertained, settled, and paid for either once for all, or for such number of years as they think just, instead of being claimed from time to time.

Recovery of sums awarded.

26. Any sum awarded by a compensation board to be paid under any of the provisions of this Act shall be certified by the clerk of the board under his hand, and may, subject to the provisions of this Act, be recovered as a debt at the expiration of three months from the date of such certificate in the county court within whose jurisdiction the property to which the claim relates is situate.

Appeal on questions of title.

27.—(1.) If a board disallow a claim or any item thereof on the ground that the claimant had not, as respects such claim or item, such title or interest in the property damaged by subsidence as would entitle him to recover under this Act, the claimant may appeal in manner in this section mentioned on the ground that he had such title or interest.

(2.) If a board allow a claim or any item thereof, any person assessed to the last rate made under this Act in and for the district may appeal in manner in this section mentioned against such allowance on the ground that the board ought to have decided that the claimant had not (as respects such claim or item) such title or interest as herein-before mentioned.

(3.) Notice of appeal under this section must be given in writing to the board at the meeting at which the decision appealed against is given, or within three weeks afterwards.

(4.) The appeal shall be brought in the county court within whose jurisdiction the land is situate, in manner prescribed by rules made or to be made by the authority for the time being empowered to make rules for the procedure and practice of county courts.

(5.) The judgment of the county court shall be binding on all persons, subject to an appeal to the Supreme Court according to the practice for the time being in use with respect to appeals from county courts.

(6.) The costs of any appeal under this section shall be in the discretion of the court in which the same are incurred.

(7.) If as a consequence of any decision on appeal under this section any damage is to be assessed, increased, or reduced, the claim shall stand remitted to the board to be adjudicated, and allowed, altered, increased, or reduced as the case may require.

Special case.

28. Any person aggrieved who desires to question an order or determination of the board on the ground that it is erroneous in point of law, may apply to the board to state a special case, setting forth the facts of the case and the grounds on which the order or determination is questioned, and if the board decline to state the case, may apply to the High Court of Justice for an order requiring the case to be stated.

The application shall be made and the case stated, heard, and determined in accordance with the provisions of section thirty-three, sub-section two of the Summary Jurisdiction Act, 1879, as if the case stated by the board were a case stated by a court of summary jurisdiction.

42 & 43 Vict. c. 49.

Limit of appeal.

29. In no case shall there be any appeal, by special case or otherwise, where the amount claimed does not exceed one hundred pounds.

Board may require compensation to be expended in repairs, &c.

30. A board may require any compensation in respect of lands, buildings, or works to be expended in the filling up of holes in such lands, or the restoration or repair of such buildings or works, and may refuse to pay such compensation except on their surveyor's certificate that the amount thereof has been properly expended in such filling up, restoration, or repair.

Power to purchase by agreement.

31. Any board may, for the purposes of this Act, by agreement purchase or take on lease, sell, or exchange any lands within the district of such board, and may pull down and remove any buildings thereon which such board may consider in a dangerous state or likely to become so.

Power to purchase otherwise than by agreement.

32. A board may by resolution passed at a meeting whereof not less than twenty-one days' notice specifying the objects of the meeting has been served on the members of the board, resolve that it is desirable that no buildings should be erected on any land scheduled to such resolution, or that any buildings on such land should be pulled down and removed, or that for any good and sufficient reason any land scheduled to such resolution should be purchased, and thereupon all the powers to purchase land other than by agreement conferred upon a local authority by the Public Health Act, 1875, or any statutory modification thereof shall be vested in such board in respect of any land so scheduled, but subject to the conditions under which a local authority can exercise such powers.

38 & 39 Vict. c. 55.

Power to sell.

33. A board may sell any land acquired under this Act subject to such conditions as to the future use of such land, and with such restrictions or prohibition as to building thereon as to such board may seem fit.

Power to keep register.

34. The board shall cause a book to be kept in which shall be entered from time to time particulars of the lands in respect of which the damage has been ascertained either once for all or for a number of years, and of any lands sold by the board subject to restrictive or prohibitive conditions, and the board shall provide an ordnance map or ordnance maps of convenient size containing such lands on which shall be shown from time to time by the use of colours the situation and extent of such lands. Such book and map or maps shall be kept at the offices of the board or such other place as shall be from time to time appointed by the board, and shall at all times be open to inspection without fee by all persons.

(v.) *Contracts prior to Act.*

Contracts prior to Act.

35. Every brine pumper who after the passing of this Act supplies brine in pursuance of a contract made before the passing of this Act shall be entitled to be paid by the person to whom he supplies such brine the amount of the rate from time to time levied under this Act and paid by him in respect of such brine, unless such contract shall otherwise provide; and the amount of such rate may be recovered by such brine pumper from the person so supplied by him as aforesaid by action in any court of competent jurisdiction.

(vi.) *Rates.*

Estimates and rates.

36.—(1.) Every board shall from time to time estimate the sums required to be levied in order to pay the claims under this Act, and of the amount per one thousand gallons of brine, estimated to be pumped or raised in their district, which will suffice to provide for such claims, and for the expenses of the board, and for the formation of the reserve fund herein-after mentioned, subject to the provisions of this Act, and shall make a rate accordingly within their district.

(2.) Every rate made by the board shall be payable on demand at the expiration of one month after such rate has been made, and the sum assessed on any person by any such rate may be recovered by the board either as a civil debt summarily, or in like manner as a poor rate is now recoverable, or by action in any court of competent jurisdiction.

(3.) Any rate or rate book purporting to be made by authority of the board, and to be sealed with their seal, or a certificate in writing, signed by the chairman or clerk, purporting to be given under this Act, and to be sealed with the seal of the board, shall be evidence that the person named therein is liable for the sum mentioned therein, and of all matters necessary to entitle the board to recover such sum.

Persons liable to rates.

37. Every brine pumper in any compensation district shall be liable to be rated under this Act.

Limit of rate.

38. The rate or rates to be made by a board on the brine pumpers within their district shall not in the aggregate in any period of twelve months exceed the sum of threepence per one thousand gallons of brine pumped or raised in the district by each of such brine pumpers during the preceding twelve months.

Mode of assessing rates.

39. In assessing a rate in any district the board shall proceed as follows :—

(i.) They shall ascertain and determine by means of the returns to be made under this Act, and by such other evidence (if any) as they think necessary or convenient, the total yield of brine in any year or other period in the district:

(ii.) They shall fix what rate per one thousand gallons of brine will produce the necessary sum :

(iii.) They shall assess every brine pumper liable to pay the rate according to the number of gallons returned by him, subject to revision by the board.

Computation of quantity of brine.

40. It shall be lawful for a board from time to time by regulations under this Act to establish and adopt any system or systems of computation of the quantity of brine pumped or raised at any pumping station or other place where brine is pumped or raised ; but such regulations shall not be held to limit their right to be guided by other evidence.

Returns to be made to board.

41.—(1.) It shall be lawful for a board, from time to time, by byelaws under this Act to prescribe forms and contents of returns, and the times (not being oftener than once a month for each pumping station) and the manner of making returns by any brine pumper in their district, or by any agent or servant of any such person, and to require such return to state (amongst other things) the quantities of brine pumped or raised at any pumping station.

(2.) Any person required by a board to make any return under this Act or such byelaws who fails to make such return, or wilfully or negligently makes a return untrue in any material respect, shall be liable on summary conviction to a penalty not exceeding twenty pounds for each offence.

(3.) A board may, by summons under their seal, require the attendance before them of any person liable to make any return under this Act, or who makes any claim under this Act, or of any agent or servant of any such person, and the production by him of any books or accounts, and may require a statutory declaration from any person so summoned touching any matter material to any question to be answered in any returns.

(4.) Any such person failing to attend, or to produce any such books or accounts, or to answer any questions put to him in pursuance of this section, shall be liable on summary conviction to a penalty not exceeding ten pounds.

Appeal against rate.

42. Any person who deems himself aggrieved by any rate made under the provisions of this Act may appeal against such rate to

the quarter sessions for the county on the ground that the quantity of brine in respect of which he ought to be assessed is less than the quantity in respect of which he is assessed.

The provisions of section thirty-one of the Summary Jurisdiction Act, 1879 (as altered and amended by the Summary Jurisdiction Act, 1884), shall apply to appeals to quarter sessions under this Act as if the rate made under the provisions of this Act were a conviction or an order of a court of summary jurisdiction. 42 & 43 Vict. c. 49. 47 & 48 Vict. c. 43.

On appeals under this Act against any rate the court of quarter sessions shall have the same power to amend or quash any rate or assessment, and to award costs between the parties to the appeal, as is or may by law be vested in any court of quarter sessions with respect to amending or quashing any rate or assessment, or awarding costs on appeals with respect to rates for the relief of the poor; and the costs awarded by the said court under this Act may be recovered in the same manner in all respects as costs awarded on the last-mentioned appeal: Provided that notwithstanding the quashing of any rate appealed against, all moneys charged by such rate shall, if the court of quarter sessions think fit so to order, be levied as if no appeal had been made, and such moneys when paid shall be taken as payment on account of the next effective rate made or to be made under this Act.

Abatement of claims, postponement of payments, &c.

43.—(1.) If at any time it appears to a board that the funds applicable for compensation in any district are or will become insufficient to meet in full the claims made or to be made on such funds, the board may so declare, and thereupon the board shall make a pro ratâ abatement on the amounts which would otherwise be payable in respect of any claims to be made or allowed after such declaration.

(2.) Where it appears to a board that the compensation payable under this Act in any particular case is exceptional in character and amount, or that the immediate payment of the compensation in any particular case or cases will disable them from meeting the other claims on them, they may spread the payment of such compensation with or without interest over such number of years as they think just, having regard to all the circumstances of the case: Provided that it shall be lawful for the board, if and when they think fit, to make up in whole or in part the amount of any abatement made under this section out of any money which might otherwise have been carried to a reserve fund for such district.

(vii.) *Reserve Fund.*

Reserve fund.

44. It shall be lawful for a board if they think fit to form a reserve fund for the purpose of meeting any exceptional claims, or providing for deficiencies which may occur in any year or years, and for that purpose in any period of twelve months to levy a greater rate in such district than the rate required for the claims and expenses estimated to be payable in such period, and they may apply any moneys from time to time standing to the credit of such

reserve fund to meet any such exceptional claim or such deficiencies: Provided that the rate shall not in any case exceed the limit of threepence per one thousand gallons of brine, and that, if and so long as the reserve fund exceeds in amount the sum of the maximum rate leviable under this Act in one year, no additional rate shall be levied under this section. The interest from time to time accruing on moneys standing to the credit of a reserve fund shall be from time to time added to the compensation fund under this Act, and the full rate of threepence shall continue to be levied until the reserve fund amounts to at least one year's income at the maximum rate.

(viii.) *Miscellaneous.*

Powers of Local Government Board inspectors.

45. Inspectors of the Local Government Board shall for the purposes of any inquiry directed by the Board under this Act have in relation to witnesses and their examination, the production of papers and accounts, and the inspection of places and matters required to be inspected, similar powers to those which poor law inspectors have under the Acts relating to the relief of the poor for the purposes of those Acts, and the Board may make orders as to the cost of such inquiries as under the Local Government Act, 1888, in the case of inquiries under that Act, and the cost of any provisional order issued by them, and as to the parties by whom or the rates out of which such costs shall be borne; and every such order may be made a rule of the Supreme Court on the application of any person named therein.

51 & 52 Vict. c. 41.

Audit of accounts of board.

46. The accounts of the receipts and expenditure of every compensation board shall be audited by such auditor of accounts relating to the relief of the poor as the Local Government Board may from time to time appoint; and such auditor shall have the like powers as he would have under section two hundred and forty-seven of the Public Health Act, 1875, in relation to the audit of accounts of an urban authority (not being the council of a borough); and the audit of the accounts of every such board shall be conducted in accordance with the provisions of that section as amended by the District Auditors Act, 1879, and with the like incidents and consequences.

38 & 39 Vict. c. 55.

42 & 43 Vict. c. 6.

Power of entry.

47. Any surveyor or person authorised by the Board shall have power at all reasonable times to enter on, inspect, and to survey any land, buildings, or premises in respect of which any claim has been made under this Act, and for the purpose of obtaining or verifying returns to enter any premises in respect of which any return is to be made under this Act; and any person who obstructs any such entry, inspection, or survey shall be liable on summary conviction to a penalty not exceeding five pounds for every such offence.

Allowance of byelaws.

48. Sections one hundred and eighty-two to one hundred and eighty-six (both included) of the Public Health Act, 1875, shall apply to all byelaws to be made by a board under this Act.

Power to dissolve compensation board.

49. Where the continued existence of a compensation board is represented to the Local Government Board to be unnecessary or inexpedient for carrying into effect the purposes of this Act, the Local Government Board may, after local inquiry, by a provisional order dissolve such compensation board, and shall in every such order make due provision for the discharge and settlement of all debts and liabilities owing by or to such compensation board, and for the complete winding up of its affairs.

Restriction of right of action.

50. Nothing in this Act shall entitle the following persons or bodies of persons to compensation from any compensation board, namely :—

(1.) Any railway or canal company: Provided always that a railway or canal company shall be entitled to compensation in respect of buildings or other property which are not in connexion with the railway or canal, and are not used for the purposes of the traffic thereon;

(2.) Any gas or water company;

(3.) Any county council, or municipal corporation;

(4.) Any sanitary, highway, or other local authority;

(5.) Any brine pumper;

(6.) Any owner of land who receives brine rents, royalties for salt, or other remuneration or consideration in respect of the lands for which such brine rents, royalties for salt, or other similar remuneration or consideration are paid;

(7.) Any owners or occupiers of salt or alkali works in respect of such works;

(8.) The trustees of the River Weaver Navigation.

Except as provided by this Act no action or other proceeding shall be commenced or taken for or in respect of any damage or injury for which compensation has been claimed under this Act.

Costs of Act.

51. Whereas certain owners of land and other persons resident in the county of Chester have subscribed or guaranteed a fund of one thousand two hundred and fifty pounds towards the costs and expenses of obtaining this Act: Be it therefore enacted that out of the first moneys raised under this Act by such compensation board or boards as shall comprise within their district or districts the urban sanitary districts of Northwich and Winsford respectively in the county of Chester there shall be paid to such owners and other persons towards the costs and expenses incurred by them preliminary to and of and incidental to the preparing and obtaining of this Act the sum of one thousand pounds.

The respective costs, charges, and expenses of the local boards for the districts of Northwich and Winsford, in relation to the passing of this Act, as taxed by the taxing officer of the House of Lords or House of Commons, shall be respectively paid by and charged upon the district rates and funds of the said boards respectively.

Interpretation.

52. In this Act—

"Owner" means the person for the time being receiving the rackrent of the land in connexion with which the word is used.

whether on his own account or as agent or trustee for any other person, or who would so receive the same if the land were let at a rackrent:

"Rateable value" means the rateable value according to the valuation list for the time being in force, or if there is none, then according to the last rate made for the relief of the poor:

"Sanitary authority" includes an urban sanitary authority and rural sanitary authority under the Public Health Act, 1875:

38 & 39 Vict. c. 55.

"Brine pumper" means a person or company who pumps or raises brine from shafts, wells, springs, or mines:

"County" includes a county borough; and "county council" includes the mayor, aldermen, and burgesses of any such borough acting by the council.

Section 15.

SCHEDULE.

First meeting of board.

1. The first meeting of the board shall be held at such time and place as shall be fixed by the Local Government Board.

Chairman of board to preside at meetings.

2. The chairman of a board is entitled to preside at every meeting, but if at any meeting the chairman is not present at the time appointed for holding the same, the vice-chairman shall be entitled to preside, and if neither the chairman nor vice-chairman be present, the members present shall choose some one of their number to be chairman of such meeting.

Summoning meeting.

3. The chairman may at any time call a meeting. If the chairman refuses to call a meeting after a requisition for that purpose, signed by five members of the board, has been presented to him, any five members of the board may forthwith on that refusal call a meeting. If the chairman (without so refusing) does not within seven days after such presentation call a meeting, any five members of the board may on the expiration of those seven days call a meeting.

Notice of meeting

4. Three clear days at least before any meeting of a board a summons to attend the meeting, specifying the business proposed to be transacted thereat, and signed by the chairman or clerk of the board, shall be left or delivered by post at the usual place of abode of every member of the board. Want of service of the summons on any member of the board shall not affect the validity of a meeting.

Quorum.

5. To constitute a meeting of a board there must be at least one third of the members personally present.

Decision of questions at meeting.

6. All acts of a board, and all questions coming or arising before the board, may be done and decided by the majority of such members of the board as are present and vote at a meeting held in pursuance of this Act.

In case of equality of votes the chairman of the meeting shall have a second or casting vote.

Minutes.

7. Minutes of the proceedings of every meeting shall be drawn up and fairly entered in a book kept for that purpose, and shall be signed by the chairman of the meeting or of the next ensuing meeting.

Standing orders.

8. Subject to the foregoing provisions of this schedule a board may from time to time make standing orders for the regulation of their proceedings and business and vary or revoke the same.

CHAPTER 41.

An Act to regulate Crofters Common Grazings in Scotland. [28th July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited as the Crofters Common Grazings Regulation Act, 1891, and shall be read as part of the Crofters Holdings (Scotland) Act, 1886, herein-after called the principal Act.

Appointment of committee.

2. The crofters in any township or townships situated in a crofting parish or parishes within the meaning of the principal Act, who share in the same common grazing, may, at a public meeting called by public notice, appoint a committee of such number as the meeting shall think fit, not being less than three or more than five, who shall be charged with the duty (in so far as such matters are not regulated by conditions binding in terms of section one, sub-section five, of the principal Act) of making regulations as to the number of stock which each crofter shall be entitled to put on the common grazing and as to any other matters affecting the fair exercise of their joint rights therein by the several crofters.

The notice of meeting may be given by any two crofters interested in the common grazing or other right, and the notice shall be given by being published for two successive weeks in any newspaper circulating in the parish, or by being posted for two successive weeks at or near the door of every place of worship and every public school in the district affected.

In the event of any dispute arising as to the sufficiency of any such notice, such dispute shall be decided summarily by the Crofters Commission, and their decision shall be final.

The regulations so made shall be submitted to the Crofters Commission, who shall cause reasonable notice to be given to the landlord of the said common grazing; and shall hear the parties, if this be desired by any party, and make such inquiry as they may deem necessary; and they shall, in considering the said regulations, have regard to any existing custom of the township in the matters affected, whether founded on estate rules or otherwise; and they may approve of the proposed regulations with or without alteration, or they may refuse to approve of the same; and, when so approved, such regulations shall come into force and may be added to or altered by the committee from time to time with the like approval.

Casual vacancies.

3. Such committee shall remain in office for three years, and at the end of every such period a new committee shall be appointed at a public meeting, and after public notice as aforesaid. Outgoing members shall be eligible for re-election. Vacancies occurring

by death or resignation shall be filled up by nomination of the remaining members. A majority shall be a quorum. The said committee shall appoint one of their number to act as clerk or constable.

On failure of crofters to appoint committee, Crofters Commission may do so.

4. In case the crofters interested in any common grazing shall at any time fail to appoint a committee, the Crofters Commission may, on the request in writing of any two crofters interested, or the landlord or landlords, and after making such inquiry, if any, as the Commission may deem necessary, appoint a committee who shall have the same duties and powers, and remain in office for the same period, as if they had been appointed by the crofters, and in the event of such committee failing to make regulations within three months after their appointment, the Crofters Commission may make such regulations themselves on the request in writing of any two crofters or of the landlord.

Petition to sheriff in case of breach of regulations.

5. The committee shall see to the due observance of the regulations, and in case of any breach or non-observance thereof they or any two crofters interested, or the landlord, may make application to the sheriff by petition, and the sheriff may upon such application make such order or orders for the enforcement of the said regulations by granting warrant for the sale of surplus stock and disposal of the proceeds by causing the same to be paid to the owner of such stock under deduction of expenses or by imposition of penalties or otherwise as he shall think fit. And he shall have power to award expenses, and such expenses as the committee may duly incur and not recover shall be paid by the crofters proportionately to the amount of their rents, conform to a decree which may be granted by the sheriff on the application of such committee.

Recording and enforcement of regulations.

6. Regulations made in terms of this Act when approved by the Crofters Commission, and any alterations on such regulations when so approved, shall be an order of the Crofters Commission within the meaning of the principal Act, and the provisions of the said principal Act with respect to the recording and enforcement of orders, and all other procedure shall apply to regulations made under this Act.

Signed conditions to be equivalent to regulations.

7. Where all the crofters interested in a common grazing shall have signed a condition or conditions regulating the use of the same, and the Crofters Commission shall have found or shall find such condition or conditions to be reasonable, as provided by section one, sub-section five, of the said principal Act, such condition or conditions may be recorded and enforced in like manner as if they were regulations made in terms of this Act and approved of by the Crofters Commission.

CHAPTER 42.

An Act further to amend the Tramways (Ireland) Act, 1860. [28th July 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Tramways (Ireland) Amendment Act, 1891.

Extent of Act.

2. This Act shall only extend to Ireland.

Increase of tramway company's capital.

3. It shall be lawful for the Lord Lieutenant in Council from time to time, on the application of any existing tramway company, by order to empower such company to increase their share capital in such manner as shall be specified by the order, and correspondingly to enlarge their borrowing powers, and also from time to time, on the like application, by order to alter or amend any of the provisions of a previous order, on notice being given to such persons and authorities as the said Lord Lieutenant in Council may think fit, and after hearing any person or authority concerned and desiring to be heard.

Loan to tramway company.

4. The Board of Works may, under the directions of the Commissioners of Her Majesty's Treasury, out of moneys at the disposal of such Board for local loans, advance by way of loan to any existing tramway company such sum or sums of money within the borrowing powers of such company at such rate of interest and generally upon such terms as the Treasury may think fit.

Construction. 46 & 47 Vict. c. 43.

5. The Tramways (Ireland) Acts, as interpreted by the Tramways and Public Companies (Ireland) Act, 1883, and as varied by this Act, and this Act, shall, so far as is consistent with the tenor thereof, be read together and construed as one Act.

CHAPTER 43.

An Act for preserving Purchasers of Stock from Losses by Forged Transfers. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to make compensation for losses from forged transfer.

1.—(1.) Where a company or local authority issue or have issued shares, stock, or securities transferable by an instrument in writing or by an entry in any books or register kept by or on behalf of the company or local authority, they shall have power to make compensation by a cash payment out of their funds for any loss arising from a transfer of any such shares, stock, or securities, in pursuance of a forged transfer or of a transfer under a forged power of attorney.

(2.) Any company or local authority may, if they think fit, provide, either by fees not exceeding the rate of one shilling on every one hundred pounds transferred, to be paid by the transferee upon the entry of the transfer in the books of the company or local authority, or by insurance, reservation of capital, accumulation of income, or in any other manner which they may resolve upon, a fund to meet claims for such compensation.

(3.) For the purpose of providing such compensation any company may borrow on the security of their property, and any local authority may borrow with the like consent and on the like security and subject to the like conditions as to repayment by means of instalments or the provision of a sinking fund and otherwise as in the case of the securities in respect of which compensation is to be provided, but any money so borrowed by a local authority shall be repaid within a term not longer than five years. Any expenses incurred by a local authority in making compensation, or in the repayment of, or the payment of interest on, or otherwise in connexion with, any loan raised as aforesaid, shall, except so far as they may be met by such fees as aforesaid, be paid out of the fund or rate on which the security in respect of which compensation is to be made is charged.

(4.) Any such company or local authority may impose such reasonable restrictions on the transfer of their shares, stock, or securities, or with respect to powers of attorney for the transfer thereof, as they may consider requisite for guarding against losses arising from forgery.

(5.) Where a company or local authority compensate a person under this Act for any loss arising from forgery, the company or local authority shall, without prejudice to any other rights or remedies, have the same rights and remedies against the person liable for the loss as the person compensated would have had.

Definitions.

2. For the purposes of this Act—

"Company."

The expression "company" shall mean any company incorporated by or in pursuance of any Act of Parliament, or by royal charter.

"Local authority."

The expression "local authority" shall mean the council of any county or municipal borough, and any authority having power to levy or require the levy of a rate the proceeds of which are applicable to public local purposes.

Application to industrial societies, &c.

3. This Act shall apply to any industrial, provident, friendly benefit, building, or loan society incorporated by or in pursuance of any Act of Parliament as if the society were a company.

Application to harbour and conservancy authorities.

4.—(1.) This Act shall apply to any harbour authority or conservancy authority as if the authority were a company.

(2.) For the purposes of this Act the expression "harbour authority" includes all persons, being proprietors of, or entrusted with the duty or invested with the power of constructing, improving, managing, regulating, maintaining, or lighting any harbour otherwise than for profit, and not being a joint stock company.

(3.) For the purposes of this Act the expression "conservancy authority" includes all persons entrusted with the duty or invested with the power of conserving, maintaining, or improving the navigation of any tidal water otherwise than for profit, and not being a joint stock company.

Application to colonial stock. 40 & 41 Vict. c. 59.

5. In the case of any colonial stock to which the Colonial Stock Act, 1877, applies, the Government of the colony of which the stock forms the whole or part of the public debt may, if they think fit, by declaration under their seal or under the signature of a person authorised by them in that behalf, and in either case deposited with the Commissioners of Inland Revenue, adopt this Act, and thereupon this Act shall apply to the colonial stock as if the registrar of the Government were a company and the stock were issued by him.

Short title.

6. This Act may be cited as the Forged Transfers Act, 1891.

CHAPTER 44.

An Act to amend the Law of Trusts in Scotland.

[5th August 1891.]

24 & 25 Vict. c. 84. 26 & 27 Vict. c. 115. 30 & 31 Vict. c. 97. 47 & 48 Vict. c. 63. 50 & 51 Vict. c. 18.

WHEREAS by an Act passed in the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter eighty-four, intituled an Act to amend the law in Scotland relative to the resignation, powers, and liabilities of gratuitous trustees, and by an Act passed in the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter one hundred and fifteen, intituled an Act to explain the Act for the amendment of the law relative to gratuitous trustees in Scotland, and by the Trusts (Scotland) Act, 1867, and by the Trusts (Scotland) Amendment Act, 1884, and by the Trusts (Scotland) Act, 1867, Amendment Act, 1887, certain powers are conferred on gratuitous trustees in Scotland:

And it is expedient further to amend the law of trusts in Scotland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Trusts (Scotland) Amendment Act, 1891, and the aforesaid Acts and this Act may be cited as the Trusts (Scotland) Acts, 1861 to 1891, and shall be read and construed together.

Explanatory.

2. For the purposes of this Act, the expressions "trust" and "trustee" shall have the meanings assigned to them by the Trusts (Scotland) Amendment Act, 1884, and the expression "the court" shall mean any court of competent jurisdiction in which a question relative to the actings, liability, or removal of a trustee comes to be tried.

Act to extend to cases of joint trustees.

3. The provisions of this Act relating to a trustee shall apply as well to several joint trustees as to a sole trustee.

Trustee not to be chargeable with breach of trust for lending money on security of any property on certain conditions.

4.—(1.) No trustee lending money upon the security of any property shall be chargeable with breach of trust by reason only of the proportion borne by the amount of the loan to the value of such property at the time when the loan was made, provided that it shall appear to the court that in making such loan the trustee was acting upon a report as to the value of the property made by a person whom the trustee reasonably believed to be an able practical valuator instructed and employed independently of any owner of the property, whether such valuator carried on business in the locality where the property is situated or elsewhere, and that the amount of the loan, by itself or in combination with any other loan or loans upon the property, ranking prior to or pari passu with the loan in question, does not exceed two equal third parts of the value of the property as stated in such report. And this section shall apply to a loan upon any property on which the trustee can lawfully lend.

(2.) This section shall apply to transfers of existing securities as well as to new securities, and in its application to a partial transfer of an existing security, the expression "the amount of the loan" shall include the amount of any other loan or loans upon the property, ranking prior to or pari passu with the loan in question. This section shall also apply to investments made as well before as after the passing of this Act, except where a reference or judicial proceeding shall be pending with reference thereto at the passing of this Act.

Extent of liability of trustee.

5.—(1.) Where a trustee shall have improperly advanced trust money on a heritable security, which would at the time of the investment have been a proper investment in all respects, for a less sum than was actually advanced thereon, the security shall be deemed an authorised investment for such less sum, and the trustee shall only be liable to make good the sum advanced in excess thereof with interest.

(2.) This section shall apply to investments made as well before as after the passing of this Act, unless a reference or judicial proceeding shall be pending with reference thereto at the passing of this Act.

Power of court to make orders in cases of breaches of trust.

6.—(1.) Where a trustee shall have committed a breach of trust at the instigation or request, or with the consent in writing, of a beneficiary, the court may, if it shall think fit, and notwithstanding that the beneficiary may be a married woman entitled for her separate use, whether she has or has not powers of disposal or alienation, make such order as to the court shall seem just for applying all or any part of the interest of the beneficiary in the trust estate, by way of indemnity to the trustee or person claiming through him.

(2.) This section shall apply to breaches of trust committed as well before as after the passing of this Act, except where a reference or judicial proceeding shall be pending with reference thereto at the passing of this Act.

In case of resignation of trustees. 30 & 31 Vict. c. 97.

7. Where a trustee entitled to resign (not being a sole trustee) shall have resigned in either of the modes provided by the Trusts (Scotland) Act, 1867, or otherwise, and his resignation shall have been duly completed, such trustee shall be thereby divested of the whole property and estate of the trust, which shall accrue to or devolve upon the continuing trustees or trustee, without the necessity of any conveyance or other transfer by the resigning trustee, but without prejudice to the right of the continuing trustees or trustee to require the resigning trustee to execute and deliver to the continuing trustees or trustee, at the expense of the trust, a conveyance or transfer (or conveyances or transfers) of the property or estate belonging to the trust or any part thereof, if the continuing trustees or trustee shall consider this expedient, and the resigning trustee when so required, shall be bound, at the expense of the trust, to execute and deliver such conveyance or conveyances, transfer or transfers accordingly.

Court to have power to remove trustees in cases of insanity, &c.

8. In the event of any trustee being or becoming insane, or incapable of acting by reason of physical or mental disability or by continuous absence from the United Kingdon for a period of six calendar months or upwards, such trustee in the case of insanity or incapacity of acting by reason of physical or mental disability shall, and in the case of continuous absence from the United Kingdom for a period of six calendar months or upwards may, on application in manner herein-after mentioned by any co-trustee or any beneficiary in the trust estate, be removed from office upon such evidence as shall satisfy the court of the insanity, incapacity, or continuous absence of such trustee. Such application, in the case of a mortis causa trust, may be made either to the Court of Session or to the sheriff court from which the original confirmation of the trustees as executors issued, and in the case of a marriage contract may be made either to the Court of Session or to the sheriff court of the district in which the spouses are, or the survivor of them is, domiciled; and in all other cases shall be made to the Court of Session.

Application of Act.

9.—(1.) This Act shall apply to trusts coming into operation before as well as after the passing of this Act.

(2.) Provided always, that save as in this Act expressly provided nothing therein contained shall authorise any trustee to do anything which he is in express terms forbidden to do, or to omit to do anything which he is in express terms directed to do.

(3.) And provided also, that nothing herein contained shall be held to extend the liability of trustees.

CHAPTER 45.

An Act to provide for and regulate the user by purchasing tenants of Rights of Turbary. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Purchase of bog by Land Commission.

1.—(1.) Where any tenants of holdings on an estate have agreed to purchase their holdings, the Land Commission may, if the landlord agrees to sell any bog on the estate, purchase the same for the benefit of any tenants or purchasers of holdings on the estate who have been accustomed to exercise, whether as of right or by permission, any privilege of turbary over any bog on the estate, or for the benefit of any other tenants or purchasers of holdings on such estate and of other inhabitants of the neighbourhood.

(2.) The amount of the purchase money and costs shall be defrayed as part of the expenses of the Land Commission, and all sums received by the Land Commission in respect of bogs purchased in pursuance of this section shall, if directed by the Treasury, be applied as an appropriation in aid of money provided by Parliament for the expenses of the Land Commission, and, so far as not so directed, shall be paid into the Exchequer.

(3.) The Land Commission, before purchasing any bog, shall be reasonably satisfied that they will ultimately realise by means of the bog an amount sufficient to repay the purchase money with interest at the rate of three and one eighth per centum per annum.

Grant of privilege of turbary.

2. Where the Land Commission purchase a bog on an estate, and any tenants or purchasers of holdings on the estate have been accustomed, whether as of right or by permission, to exercise any privilege of turbary, the Commission shall grant them that privilege, subject to the provisions herein-after contained as to payment, conditions, and regulations, and, so far as such grants shall not extend, may grant privileges of turbary to the tenants or purchasers of holdings on the estate and to other inhabitants of the neighbourhood, or any of them, and, so far as such grant shall not extend, in every case shall require such payments as the Land Commission consider will, after deducting current expenses, pay off with interest the purchase money and costs of purchase, and may make such conditions and regulations as they think expedient as to the exercise of the privileges granted.

Sale of exhausted bog.

3. When the bog or any part thereof is exhausted for purposes of turbary the Land Commission may sell the same.

Regulations for exercise of rights of turbary.

4.—(1.) Where a holding for the purchase of which an agreement has been entered into by a tenant comprises a bog which is subject to a right of turbary exerciseable by persons other than the purchaser of the holding, the Land Commission on the prescribed application may make regulations for the purpose of securing that the exercise of the right shall not prevent the future reclamation of the bog, and that such persons shall have reasonable facilities for the exercise of the said rights.

(2.) Any regulations under this section may provide for the punishment of any breach of them by a fine not exceeding five pounds to be recovered in a court of summary jurisdiction.

Application of Act.

32 & 33 Vict. c. 42.

5. This Act shall apply where holdings have been purchased whether before or after the commencement of this Act, under any of the Land Purchase Acts, or under the Irish Church Act, 1869: Provided that, where a holding subject to a right of turbary has been purchased before the commencement of this Act, the regulations

under this section shall be made only on the application of the proprietor of the holding.

Definitions.

6. In this Act—

(1.) "Land Purchase Acts" means the Landlord and Tenant (Ireland) Act, 1870 (Parts II. and III.); the Land Law (Ireland) Act, 1881 (Part V.); the Purchase of Land (Ireland) Act, 1885; the purchase of Land (Ireland) Amendment Act, 1888, and any Act amending the same.

(2.) "Estate" means any lands belonging to one landlord which the Land Commission may declare form a separate estate for the purposes of this Act.

(3.) Other expressions have the same meanings respectively as in the Land Purchase Acts.

Short title.

7. This Act may be cited as the Turbary (Ireland) Act, 1891.

CHAPTER 46.

An Act to amend the Post Office Acts and to make provision for the Service of the Post Office. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Inland Postal Regulations.

Regulations as to circulars and documents, and words on registered newspapers. 38 & 39 Vict. c. 22.

1. A warrant of the Treasury under section four of the Post Office Act, 1875, made after the passing of this Act may determine—

(*a*) what circulars or what commercial, legal, and other similar documents; and

(*b*) what marks, or indications referring to the contents of a registered newspaper, when written or printed on the newspaper or on the cover thereof,

shall not be charged with rates of postage as letters.

Modification of 33 & 34 Vict. c. 79. s. 6 as to supplements to newspapers.

2.—(1.) A warrant of the Treasury under section four of the Post Office Act, 1875, may modify the provisions of section six of the Post Office Act, 1870, respecting the supplement of a newspaper, so far as they apply to a supplement which consists wholly of engravings, prints, or lithographs illustrative of articles in the newspaper.

(2.) There shall be repealed so much of the said section six as requires the supplement to a newspaper to be unstitched, but all sheets of a supplement shall be put together at some one part of the registered newspaper, whether gummed or stitched up with the newspaper or not.

(3.) There shall further be repealed so much of the said section six as requires the supplement to a newspaper to have the date of publication of the newspaper printed at the top of every page, sheet, or side on which any engraving, print, or lithograph appears.

Re-direction of postal packets. 38 & 39 Vict. c. 22.

3. A warrant of the Treasury under section four of the Post Office Act, 1875, may make regulations respecting the re-direction of postal packets and the transmission of postal packets so re-directed, either free of the charges now imposed by law, or at such rates of postage as may be specified in the warrant.

Certificates of posting and delivery.

4. Section three of the Post Office Act, 1875, which provides for regulations respecting the giving of a receipt for a postal packet and the sum to be paid for such receipt, shall extend to the giving and obtaining of certificates of posting and delivery of any postal packet in like manner as if a reference to "giving receipts for any postal packet," included a reference to giving and obtaining certificates of the posting or delivery thereof.

Power to Postmaster-General to authorise collection and delivery of letters otherwise than by post.

5. The Postmaster-General, with the consent of the Treasury, may, either generally or in the case of any particular person, authorise—

(*a*) letters or other postal packets to be sent, conveyed, and delivered otherwise than by post, and

(*b*) the collection otherwise than by an officer of the Post Office of any letters or postal packets, whether to be so sent or to be sent by post,

but the authority shall be subject in every case to such regulations, conditions, prohibitions, and restrictions as are specified in a warrant of the Treasury made on the representation of the Postmaster-General.

Land.

Consent of Treasury to dealings with land by Postmaster-General need not be proved.

6. A person dealing with the Postmaster-General in respect of land, or rights in or over land, either as vendor, lessor, purchaser, lessee, or otherwise, shall not be bound or entitled to inquire whether the consent of the Treasury has been given to such dealing, or whether the dealing is in fact authorised by any Post Office Act.

Power for local authority to contribute land or money towards new post office.

7. Where the council of any borough or the urban sanitary authority of any district consider that it would be beneficial to the inhabitants of such borough or district that any new post office should be on a more expensive site, or of a larger size, or of a more ornate building, or otherwise of a more expensive character, than the Postmaster-General would otherwise provide, such council or authority may contribute towards such new post office, either by a grant of money or, with the consent of the Local Government Board, or in Ireland with the consent of the Local Government Board for Ireland, by the appropriation of land belonging to the council or authority, or by the purchase of land for the purpose, and any costs incurred under this section may be paid in the case of a borough out of the borough fund or borough rate, and, in case of any urban sanitary district not a borough, out of the rate out of which the general expenses of the sanitary authority under the Public Health Act, 1875, are defrayed.

38 & 39 Vict. c. 55.

The council of any borough may borrow for the purposes of this section under section one hundred and six of the Municipal Corporations Act, 1882, and any enactment amending the same, and any other urban sanitary authority may borrow for the

45 & 46 Vict. c. 50.

purposes of this section in like manner as if those purposes were purposes of the Public Health Act, 1875, and the provisions of that Act with respect to borrowing shall apply accordingly.

Power to rural authorities to undertake to pay loss occasioned by extra postal facilities.

8. Where any rural sanitary authority consider that it would be for the benefit of any contributory place or places within their district that any post or telegraph office should be established or any additional facilities (postal or other) provided by the Postmaster-General in such place or places, such authority may undertake to pay to the Postmaster-General any loss he may sustain by reason of the establishment or maintenance of such office or the provision of such facilities, and any costs incurred by the authority under such undertaking may be defrayed as special expenses legally incurred in respect of such contributory place or places, and shall be apportioned between such places if more than one, and sections two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one of the Public Health Act, 1875, and sections two hundred and thirty-two and two hundred and thirty-three of the Public Health (Ireland) Act, 1878, shall apply accordingly.

41 & 42 Vict. c. 52.

Miscellaneous.

Exemption of officer of Post Office from offices, juries, &c., 7 Will. 4. & 1 Vict. c. 33.

9. Section twelve of the Post Office Management Act, 1837, (which exempts the Postmaster-General and the officers of the Post Office from serving certain offices and from serving on any jury or inquest or in the militia), shall have full effect in Scotland, notwithstanding any subsequent enactment.

Criminal diverting of letters from addressee.

10. Any person not in the employment of the Postmaster-General who wilfully and maliciously, with intent to injure any other person, either opens or causes to be opened any letter which ought to have been delivered to such other person, or does any act or thing whereby the due delivery of such letter to such other person is prevented or impeded, shall be guilty of a misdemeanor, and be liable to a fine not exceeding fifty pounds, or to imprisonment not exceeding six months.

Nothing in this section shall apply to a person who does any act to which this section applies where he is parent or in the position of a parent or guardian of the person to whom the letter is addressed.

A prosecution shall not be instituted in pursuance of this section except by direction of the Postmaster-General.

A letter in this section means a post letter within the meaning of the Post Office (Protection) Act, 1884, and any other letter which has been delivered by post.

Forwarding of articles for analysis. 38 & 39 Vict. c. 63.

11. In section sixteen of the Sale of Food and Drugs Act, 1875, respecting an article forwarded to the analyst through the Post Office the words "registered parcel" shall be substituted for the words registered letter.

Supplemental.

Interpretation. 38 & 39 Vict. c. 22.

12.—(1.) In this Act—

The expression "postal packet" has the same meaning as in the Post Office Act, 1875, as amended by the Post Office

47 & 48 Vict. c. 76.

(Protection) Act, 1884, and includes such postal packets as are defined by regulations of the Treasury to be parcels, and includes a telegram.

The expression "registered newspaper" means a newspaper registered by the Postmaster-General for transmission by inland post.

Other expressions have the same meaning as in the Post Office (Offences) Act, 1837.

7 Will. 4. & 1 Vict. c. 36.

(2.) This Act shall be deemed to be a Post Office Act within the meaning of the Post Office (Offences) Act, 1837.

Repeal.

13. The enactments specified in the schedule to this Act are hereby repealed from and after the commencement of this Act to the extent specified in the third column of that schedule.

Short title.

14. This Act may be cited as the Post Office Act, 1891.

Section 13.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
3 & 4 Vict. c. 96. -	The Post Office (Duties) Act, 1840.	Sections fourteen and eighteen.
26 & 27 Vict. c. 43. -	The Post Office Lands Act, 1863.	Section three.

CHAPTER 47.

An Act to amend the Metalliferous Mines Regulation Act, 1872, in its application to the Isle of Man.

[5th August 1891.]

35 & 36 Vict. c. 77.

WHEREAS it is expedient to amend the Metalliferous Mines Regulation Act, 1872, (herein-after referred to as the principal Act) in its application to the Isle of Man:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Act to Isle of Man.

1. In the application of the principal Act to the Isle of Man the following modifications shall be made in addition to those mentioned in section forty-three of the principal Act:

(1.) The expression "court of summary jurisdiction" shall mean a high bailiff or two justices of the peace:

(2.) The expression "Summary Jurisdiction Acts" shall mean the Act of Tynwald, the short title of which is the Petty

Sessions Act, 1864, and any Acts for the time being in force amending the same:

(3.) An appeal from a decision given or conviction made by a court of summary jurisdiction shall be made in conformity with the Summary Jurisdiction Acts, but no general appeal shall be allowed except in the case in which an appeal to the court of general or quarter sessions is allowed under section thirty-two of the principal Act:

(4.) Section thirty-four of the principal Act shall apply to the Isle of Man as well as to the United Kingdom:

(5.) Any prosecution in respect of an offence punishable on summary conviction under the principal Act, other than a prosecution against an owner or agent of a mine, may be in the name of an inspector or of a superintendent or inspector of police or of a person injured or aggrieved, and in any such prosecution the owner of the mine shall, as to any offence in relation to his mine, be deemed to be the person aggrieved.

Short title and construction.

2. This Act may be cited as the Metalliferous Mines (Isle of Man) Act, 1891, and shall be construed as one with the principal Act.

CHAPTER 48.

An Act to provide further Funds for the Purchase of Land in Ireland, and to make permanent the Land Commission; and to provide for the Improvement of the Congested Districts in Ireland. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I. Land Purchase.

PART I.

LAND PURCHASE AND LAND COMMISSION.

Advances by guaranteed land stock.

1.—(1.) Every advance under the Land Purchase Acts as amended by this Act after the commencement of this Act, except as hereinafter mentioned, shall be made by the issue of a sum of guaranteed land stock equal in nominal amount to the advance; such stock, as between vendor and purchaser of the holding purchased, shall be accepted by the vendor as equal in value to the nominal amount thereof.

(2.) Such stock shall be a capital stock, consisting of annuities yielding dividends at the rate of two pounds fifteen shillings per cent per annum on the nominal amount of the capital, payable by equal half-yearly payments on the first days of July and January, and after thirty years from the commencement of this Act, and not before, shall be redeemable in accordance with sub-section two of section two of the National Debt Conversion Act, 1888, as if it

51 & 52 Vict. c. 2.

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were stock redeemable under that section; and for the purpose of such redemption of any stock, at or before the expiration of the term of forty-nine years from the time of the issue of such stock, a Sinking Fund shall be established by means of an annual sum at the rate of one per cent on the nominal amount of the capital, payable in equal half-yearly payments.

(3.) The said dividends and payments to the Sinking Fund shall be paid out of the Land Purchase Account herein-after mentioned, and, if that is insufficient, shall, to the extent of the deficiency, be paid as a temporary advance out of the Consolidated Fund, and every such advance shall be repaid to the Consolidated Fund out of the Guarantee Fund as provided by this Act.

Payment by purchaser of Sinking Fund payments in guaranteed land stock.

2. Where a person liable to pay a purchase annuity either—

(*a*) redeems the annuity or any part thereof; or

(*b*) pays on a gale day or within fourteen days thereafter the instalment due on that gale day;

the payment of the redemption money, or, as the case may be, of one-fourth of the instalment, may be discharged by the prescribed transfer to the National Debt Commissioners of an equal nominal amount of guaranteed land stock, and such transfer may be made through the medium of a post office savings bank in the prescribed manner.

Power to issue two and a half per cent guaranteed land stock.

3. If at any time after guaranteed land stock to a nominal amount of not less than ten million pounds has been issued, the Treasury are of opinion, having regard to the average market price of the said stock for the period, not less than twelve months, then immediately preceding, that the market price of a like stock, but bearing dividends at the rate only of two pounds ten shillings per cent per annum on the nominal amount of the capital, would be one hundred pounds cash for an equal nominal amount of stock, they shall cause notice to be given that after the date specified in the notice the following provisions will apply, and the same shall apply accordingly; that is to say,—

(*a.*) The guaranteed land stock issued for advances under any agreement made subsequently to the said date shall yield dividends at the rate only of two pounds ten shillings per cent per annum on the nominal amount of the capital;

(*b.*) The annual sinking fund payment on stock issued for such advances shall be at the rate of one pound two shillings per cent on the nominal amount of the capital;

(*c.*) The county per-centage shall continue to be at the rate of five shillings per cent per annum on such advances;

(*d.*) The purchase annuity for the repayment of any such advance shall be at the rate of three pounds seventeen shillings per cent instead of four pounds per cent per annum on the advance;

(*e.*) The provisions of this Act with respect to guaranteed land stock, and the dividends thereon, and the sinking fund payments for the same, shall apply to stock issued for such advances, with the substitution of the last-mentioned amount of dividends and sinking fund payments for those mentioned in such provisions.

Part I. Land Purchase.

Establishment of a Land Purchase Account.

4.—(1.) The Land Commission shall establish a Land Purchase Account and under the prescribed rules carry thereto and apply as follows all moneys received on account of any purchase-annuity for the discharge of an advance.

(2.) All sums so carried in respect of the current half-yearly instalments of the annuity shall be applied in the following order:—

(*a.*) In paying the dividends and Sinking Fund payments on an amount of guaranteed land stock equal to the amount of the advance; and

(*b.*) In paying to the Guarantee Fund an annual sum (in this Act referred to as the county per-centage) at the rate of five shillings for every hundred pounds of the advance; and the whole or any part of such per-centage not required for the purposes of the Guarantee Fund shall be paid out of that fund to the Local Taxation (Ireland) Account and applied towards the cost of providing labourers' cottages under the Labourers (Ireland) Acts, 1883 to 1886, in the county in which is situate the holding charged with the annuity, on such terms and conditions and subject to such regulations as the Lord Lieutenant thinks expedient; save that, where it appears to him, on the representation of the Local Government Board, that the whole or any part of such per-centage cannot with advantage be so applied, he may order the same to be applied as if it were part of the share of the county in the Irish probate duty grant, and he may for the purposes of this section withhold or suspend the distribution of the whole or part of the said per-centage when paid to the Local Taxation (Ireland) Account.

46 & 47 Vict. c. 60. 49 & 50 Vict. c. 59.

(3.) All sums carried to the account in respect of arrears of the purchase-annuity, whether paid by the proprietor of the holding, or from the guarantee deposit, or from the proceeds of the sale of a holding, or from any other source, shall be paid to the Guarantee Fund; provided that where a sum is applicable out of the guarantee deposit for the discharge or reduction of an irrecoverable debt, one half only of the amount so applicable shall be paid out of the guarantee deposit to the Land Purchase Account; and such one half shall be carried to the Land Purchase Account out of the guarantee deposit immediately on any sum due to the Land Commission in respect of an advance secured by a guarantee deposit having been declared an irrecoverable debt. Sums carried to the Guarantee Fund under this sub-section shall be applied in the same manner, subject to the provisions of this Act as to guarantee, and subject to the prescribed regulations, as the sums carried to the Land Purchase Account in respect of the current half-yearly instalments.

(4.) All sums carried to the account in respect of the redemption of the purchase-annuity, whether received from the proprietor of the holding, or upon the sale of the holding, or from the guarantee deposit, and also (save as otherwise provided by or in pursuance of this Act) all other moneys carried to the Land Purchase Account, shall be paid to the Sinking Fund.

Establishment of Guarantee Fund.

5.—(1.) There shall be established a Guarantee Fund under the direction of the Treasury, consisting of a cash portion and a

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contingent portion, and in every financial year there shall be paid to the Fund—

(*a*) in respect of the cash portion of the Fund—

(i.) the Irish probate duty grant; and

(ii.) a sum of forty thousand pounds, which shall in every financial year be paid out of the Consolidated Fund (in this Act referred to as the Exchequer contribution); and

(iii.) the county per-centage; and

(*b*) in respect of the contingent portion of the Fund, if and when and to the extent required in pursuance of this Act,—the Irish share of the local taxation (customs and excise) duties and the following local grants, that is to say, grants—

(i.) for rates and contributions in lieu of rates on Government property in Ireland;

(ii.) for the expenses of the Commissioners of National Education in Ireland under the accounts headed "Model Schools" and "National Schools";

(iii.) in aid of the maintenance of children in industrial schools in Ireland;

(iv.) in aid of the salaries of schoolmasters and schoolmistresses in workhouses in Ireland, of the salaries of medical officers of workhouses and of dispensaries in Ireland, and of the cost of medicines and medical and surgical appliances in Ireland, and of the salaries of officers appointed or constituted under the Public Health (Ireland) Act, 1878; and

41 & 42 Vict. c. 52.

(v.) in aid of the cost of maintenance of pauper lunatics in district asylums in Ireland;

and the several sums constituting the cash portion and the contingent portion respectively of the Guarantee Fund shall be applicable to the purposes of that Fund in the order specified in this section.

(2.) The cash portion of the Guarantee Fund, so far as not required in any financial year for meeting charges on the Fund, shall, subject to the provisions of this Act with regard to the county per-centage, be applied as follows, that is to say,—

(*a.*) The Irish probate duty grant shall be paid to the Local Taxation (Ireland) Account, and applied in manner provided by section three of the Probate Duties (Scotland and Ireland) Act, 1888.

51 & 52 Vict. c. 60.

(*b.*) The Exchequer contribution shall be carried to a Reserve Fund until a sum of two hundred thousand pounds has been so carried; and so far as not required for that purpose shall be paid to the Local Taxation (Ireland) Account; and the share of the municipal boroughs to which this Act does not apply shall be ascertained and applied as if it were part of the Irish probate duty grant; and the residue shall be divided between the counties as nearly as may be in the proportion of the shares of the counties in the Irish probate duty grant; and such residue shall be applied towards the cost of providing labourers' cottages in the several counties under the Labourers (Ireland) Acts, 1883 to 1886, on such terms and conditions and subject to such regulations as the Lord Lieutenant thinks

46 & 47 Vict. c. 60. 49 & 50 Vict. c. 59.

expedient, save that where it appears to him, on the representation of the Local Government Board, that the whole or any part of such residue applicable to any county cannot with advantage be so applied, he may order the same to be applied as if it were the share of the county in the Irish probate duty grant.

(3.) The money paid to the cash portion of the Guarantee Fund shall from time to time during every financial year, so far as not required to meet charges on the fund already accrued, be forthwith paid to the Local Taxation (Ireland) Account.

Making up of deficiency of Land Purchase Account by Guarantee Fund or a levy on county.

6.—(1.) If the Land Purchase Account is at any time insufficient to meet the dividends and Sinking Fund payments, the deficiency shall be a charge on the Guarantee Fund, and, subject to such subsequent adjustment of charge between the several counties as herein-after mentioned, shall be paid thereout to the Land Purchase Account, or, so far as the deficiency has been paid out of the Consolidated Fund, to that Fund.

(2.) If the cash portion of the Guarantee Fund is at any time insufficient to pay all such charge, the Treasury shall send to the Lord Lieutenant a notice stating the sum required to meet the remainder of the charge and the date for its payment, and if the Lord Lieutenant before that date, or such later date as on his application the Treasury may allow, does not pay to the Guarantee Fund from the Local Taxation (Ireland) Account, the said sum, with interest at the rate of three per cent per annum, or such other rate as the Treasury may fix, from the date of the notice, the Treasury shall order such sum and interest to be paid to the Guarantee Fund out of the local taxation (customs and excise) duties and local grants forming the contingent portion of the Fund, and, subject to such subsequent adjustment of charge between the several counties as herein-after mentioned, such sum and interest shall be deducted from the said duties and grants, and the Treasury by their order shall make such provision as seems to them necessary or proper for carrying the order into effect, and the order shall be duly observed.

(3.) The Lord Lieutenant shall raise the said sum and interest, and also any sum which, upon any adjustment under this Act of a charge between the counties, is charged against a county in excess of the share of the county in the cash portion of the Guarantee Fund, by a levy upon the county liable; and for that purpose he shall send to the secretary of the grand jury of the county a requisition for the payment of the sum therein named within such period therein mentioned, as the Lord Lieutenant, with the consent of the Treasury, thinks reasonable. The requisition shall be laid before the grand jury at the next assizes, and the grand jury shall, without any previous proceeding at any presentment sessions, present the sum payable in pursuance of the requisition, together with such further sum as will defray the costs of collection at the ordinary rate, to be levied off the county at large, and in default of such presentment the judge of assize shall order the sum to be raised, and such order shall have the force of a presentment; and the county treasurer shall out of the first moneys which he receives in

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respect of any presentment made at those assizes, pay the sum required into the Local Taxation (Ireland) Account, to be there placed to the credit of the county, and any sum so paid out of moneys not levied under this section shall be replaced out of moneys so levied.

(4.) A charge on the Guarantee Fund shall, as between the counties, be adjusted and be borne by such county and in such manner, and the burden as between the local authorities and persons in the county shall, subject to the provisions of this Act, be adjusted and borne in such manner, as may be provided by regulations of the Lord Lieutenant made with the consent of the Treasury, and the benefit of any sum repaid to the Guarantee Fund from the Land Purchase Account shall be adjusted, in accordance with as nearly as may be the mode in which the burden of originally paying such sum was borne.

(5.) The share of a county in the Guarantee Fund or any portion thereof for any purpose of this Act shall be ascertained by the Lord Lieutenant in accordance with the regulations under this section, and the regulations shall provide for apportioning the Guarantee Fund in the proportion in which the Irish probate duty grant and the local taxation (customs and excise) duties and the local grants are distributable among the local authorities and persons in each county on the basis of the financial year in which the apportionment is made, and shall provide for the share to be assigned to any county where the benefits of any school or lunatic asylum are not confined to the county in which the school or asylum is situate, or where parts of a poor law union or other area are situate in more than one county.

(6.) All questions which arise as to the share of any county, local authority, or person, in any Fund or sum dealt with in this Act, or as to the rights or burdens of any county or local authority or person in respect of payments out of the Guarantee Fund or the Local Taxation (Ireland) Account, shall be determined by the Lord Lieutenant, and his decision shall be final.

Advance of three fourths of purchase money.

7. Notwithstanding anything in the Land Purchase Acts or this Act, any advance made after the passing of this Act, which shall not exceed three fourths of the price paid for a holding, shall be repaid by an annuity of three pounds seventeen shillings and sixpence per cent on the amount of such advance for forty-nine years; and an annual sum, at the rate of two shillings and sixpence for every hundred pounds of the advance, shall be paid and applied in the same manner as the county per-centage mentioned in section four of this Act.

Aid in case of exceptional agricultural calamity from purchasers' insurance and from Reserve Fund.

8.—(1.) Where an advance for the purchase of a holding is less than twenty times the annual value of the holding as in this Act defined, then during the first five years of the term of the purchase-annuity the annuity shall be eighty per cent of such annual value (and the excess of any purchase-annuity over an annuity of four per cent on the advance is in this Act referred to as "the purchaser's insurance money"), but the annuity shall, on application, be reduced after those five years, to such four per cent, and after the first eighteen years of the term shall on application be further reduced

to such annuity as, in accordance with the prescribed tables, will, after allowing for the purchaser's insurance money, replace at the end of the term the advance with interest at the rate of three per cent per annum: Provided that this sub-section shall not apply when the amount of the advance does not exceed three-fourths of the purchase money of the holding.

(2.) All such reductions shall be made by the Land Commission on the application in writing by letter or otherwise of the proprietor for the time being of the holding charged, and, if no such application is made, the annuity shall remain of the same amount, but in any case shall cease at such period, before the end of the term of the annuity, as may be provided by the prescribed tables, so as to replace the advance with interest at the rate of three per cent per annum.

(3.) If (after one fourth of the guaranteed land stock available for land purchase in a county has been applied for within three years after the passing of this Act) it appears to the Lord Lieutenant, on the report of the Land Commission, that it is expedient, in the interest of tenants desiring to purchase, that the purchase-annuities to which this section applies in the county should continue for more than five years to be eighty per cent of the said annual value, and he so declares by publication in the manner directed by him, this section shall, from the date mentioned in such declaration, apply to all such annuities in that county as are chargeable on any holding the agreement for the purchase of which has been made after the date of the declaration, as if the number of years mentioned in the declaration were throughout substituted for five years, and the annuity shall cease at such earlier period as may be fixed by the prescribed tables.

(4.) The Lord Lieutenant, on the report of the Land Commission, may, if he thinks it expedient for the reason aforesaid, by a subsequent declaration, revoke or vary any such declaration and may also make a new declaration under the provisions of this sub-section; but no such subsequent or new declaration shall affect any annuity chargeable on a holding the agreement for the purchase of which was made before the date of the declaration.

(5.) Provided that any such declaration, except when it merely revokes a previous declaration, shall not come into operation till it has lain before both Houses of Parliament for not less than thirty days, nor if either House passes a resolution objecting to it.

(6.) Where the whole or a part of any purchaser's insurance money has been paid and subsequently the annuity in respect of which it has been paid is in arrear, the Land Commission, if satisfied that such arrear is due to exceptional circumstances and not to any fault of the person liable to pay the annuity, may, if they think it expedient, set off against the whole or part of the arrear the purchaser's insurance money, or any part thereof; but the annuity (notwithstanding any reduction under the foregoing provisions of this section) shall be increased by such amount, after such period, not exceeding two years from the date of the set off or the termination of the first five years, or any extended term fixed by a declaration of the Lord Lieutenant under this section, whichever shall

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latest happen, and for such time, as the Land Commission direct, in order to replace the sum so set off, but so that the annuity shall not exceed the annuity payable during the first five years of the term.

(7.) If in any financial year it appears to the Lord Lieutenant, on the report of the Land Commission and Local Government Board, that, in consequence of exceptional agricultural distress or calamity in any county, it is advisable in the public interest that any deficiency arising, or likely to arise, from the non-payment of purchase-annuities in that county should be advanced in whole or in part out of the Reserve Fund instead of being paid as before provided by this Act, he may, with the consent of the Treasury, order such advance; but the order shall not come into operation till it has lain before both Houses of Parliament for not less than thirty days, nor if both Houses pass within the said period a resolution objecting to it; and the advance shall be repaid to the Reserve Fund out of the Exchequer contribution, before that contribution is applied to any purpose other than the Guarantee Fund.

(8.) Every such order for an advance in any year shall specify the electoral divisions in the county in which the said distress or calamity has occurred to such extent as to require the aid hereinafter mentioned to be given to the persons liable for the payment of purchase-annuities, and on application to the Land Commission by any such person in respect of a holding situated in an electoral division so specified, a portion of the advance may, in accordance with regulations made by the Land Commission, be deemed to be lent to him in discharge of the whole or part of any instalment of the purchase-annuity specified by the Land Commission, and the annuity shall be increased by such amount, and for such time not exceeding five years commencing from such date, as the Land Commission direct, in order to repay to the Reserve Fund or the Exchequer Contribution, as the case may be, the amount so deemed to be lent.

(9.) The regulations shall, so far as possible, secure that—

(*a.*) no such loans shall be made to the extent to which the instalment can be paid out of the purchaser's insurance money; and that

(*b.*) if the amount of the advance is insufficient to meet all the loans applied for, such loans shall abate proportionately.

Limitation of advance.

9.—(1.) Advances under the Land Purchase Acts as amended by this Act, in addition to the amount of ten million pounds authorised by the Land Purchase Acts, 1885 and 1888, may be made by the issue of guaranteed land stock to the amount from time to time required by the Land Commission, but such advances for the purchase of holdings in any county shall not, except in so far as is hereafter provided, exceed twenty-five times the share of the county in the Guarantee Fund; and the Treasury, when of opinion that the advances made for the purchase of holdings in any county approximate to this limit, shall certify their opinion to the Lord Lieutenant, who shall forthwith ascertain, on the basis of the preceding financial year, the share of each county in the Guarantee Fund.

(2.) The Treasury, in communication with the Lord Lieutenant, may authorise, by order, additional advances in the county, not

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exceeding the capital value for the time being of that part of the Sinking Fund which has been accumulated out of the Sinking Fund payments paid out of purchase-annuities, or out of payments for the redemption of purchase-annuities, in the county, and such capital value shall include the capital of any guaranteed land stock redeemed by the said payments.

(3.) So long as any money authorised to be issued under the Land Purchase Acts, 1885 and 1888, remains available for advances under those Acts, an advance may be made, out of the money so available, in any case where the landlord and tenant so agree, and every such advance and the repayment thereof shall in all respects be subject to the provisions of the Land Purchase Acts as if this Act had not passed.

(4.) An advance shall not be made under the Land Purchase Acts, as amended by this Act, for the purchase of any holding for the purchase of which advances have been made under the Land Purchase Acts, whether before or after the passing of this Act, and whether under this Act or otherwise, until the entire annuity for the repayment of such advances has been paid or redeemed.

(5.) Where it appears to the Treasury that the payment of annuities in any county has fallen into arrear, and that there is probability that the share of the county in the cash portion of the Guarantee Fund will be annually exhausted in meeting the deficiency of the Land Purchase Account, they shall certify the same to the Lord Lieutenant, and the Lord Lieutenant shall thereupon direct the Land Commission to cease making advances in such county, until the Treasury shall notify to the Lord Lieutenant that, in their opinion, the advances may again be safely resumed.

Glebe tenants. 32 & 33 Vict. c. 42.

10. Notwithstanding anything in section fifty-two of the Irish Church Act, 1869, when the Land Commission, as representing the late Commission of Church Temporalities in Ireland, sell any land in pursuance of the Irish Church Act, 1869, to the occupying tenants thereof, the sale may be deemed to be a sale under the Land Purchase Acts as amended by this Act, and in such case shall be carried out accordingly.

Allocation of the sum available for purchase in proportion to the value of holdings.

11.—(1.) The Lord Lieutenant shall, within one year from the passing of this Act, ascertain as nearly as may be and declare as regards each county the proportion between the total number of agricultural and pastoral holdings for the purchase of which advances may be made under this Act, and the number of such holdings of a rateable value exceeding fifty pounds.

(2.) The Land Commission, in making advances under this Act, shall have regard to such proportion, so that as far as practicable the total amount advanced under this Act for the purchase of agricultural and pastoral holdings the rent of which exceeds fifty pounds each in any county, as compared with the total amount advanced under this Act in the county, shall not exceed the above proportion, except where in the opinion of the Land Commission an advance to a tenant of any of such holdings is necessary for carrying into effect sales of other holdings, the rent of which does not exceed fifty pounds each, on the estate of the same landlord.

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(3.) (*a.*) If the advances applied for (and which appear to the Land Commission likely to be sanctioned) for the purchase of holdings exceeding fifty pounds rental fall short in any year of the proportion of the annual share of the county in the guarantee fund ascertained in accordance with sub-sections (1) and (2) of this section with reference to the class of holdings exceeding fifty pounds valuation, the difference shall be carried to a common fund to be available for the purchase of any holding within the county for the purchase of which advances may be made under this Act.

(*b.*) If the advances applied for (and which appear to the Land Commission likely to be sanctioned) for the purchase of holdings not exceeding fifty pounds rental fall short in any year of the proportion of the annual share of the county in the guarantee fund ascertained in accordance with sub-sections (1) and (2) of this section with reference to the class of holdings not exceeding fifty pounds valuation, the difference shall be carried to a common fund to be available for the purchase of any holding within the county for the purchase of which advances may be made under this Act.

(*c.*) Returns shall be published by the Land Commission at the end of each financial year in at least two newspapers circulating in each county setting out the amount (if any) carried to the common fund under the provisions of this sub-section in the preceding year, and the class of holdings in respect of which such amount has been so carried.

(*d.*) In sanctioning advances out of such common fund the Land Commission shall give the preference, so far as is practicable, to applications which would have been sanctioned earlier but for the proportions fixed as aforesaid having prevented such applications being sanctioned.

(4.) Nothing in this section contained shall invalidate any advance hereafter actually made.

Reference to Privy Council of objections to Lord Lieutenant's decision.

12.—(1.) Not less than one month before a decision of the Lord Lieutenant as to the share in any fund or sum or the rights or burdens of any county, local authority, or person, in respect of payments out of the Guarantee Fund or the Local Taxation (Ireland) Account is finally given, notice of the proposed decision shall be published in the Dublin Gazette, and in at least one newspaper circulating in each county concerned, and if during such month any authority or person interested sends to the Lord Lieutenant an objection to the proposed decision, in writing, stating the reasons for the same, then such objection shall be referred to the Privy Council, and after hearing the objector and any other authority or person, if such objector, authority, or person appears to the Privy Council to be interested and desires to be heard, and after hearing what is offered on behalf of the Crown, the Privy Council shall advise the Lord Lieutenant thereon, and the decision of the Lord Lieutenant shall be suspended until the advice is given, and shall be in accordance with such advice.

(2.) The Privy Council may order costs, on a scale to be settled by the Lord Chancellor, to be paid by or to the objector or by or to any authority or person appearing or cited to appear, including the Crown.

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(3.) This section shall apply, with the necessary modifications, to a declaration by the Lord Lieutenant as to the proportion between the total number of holdings and those of a rateable value exceeding fifty pounds, and in that case any ten persons whose position (whether as vendors or purchasers) as respects advances under this Act may be affected by the declaration, shall be deemed to be pecuniarily interested.

Purchase by tenants formerly in possession of holdings.

13.—(1.) Where the tenancy of a holding has been determined since the first day of May one thousand eight hundred and seventy-nine, and the former landlord or his successor in title is in occupation of the holding, it shall be lawful for the former landlord or his successor in title, within six months of the passing of this Act, to enter into an agreement under the Land Purchase Acts, or the said Acts as amended by this Act, for the sale of the holding to the former tenant or his personal representatives.

(2.) An advance for such purpose may be made by the Land Commission, in the same manner and subject to the same conditions as if the purchaser was at the date of the agreement in possession of the holding as tenant, and thereupon all the provisions of the Land Purchase Acts as amended by this Act shall apply to such agreement and advance.

(3.) If the Land Commission are of opinion that the holding would be sufficient security for the advance but for its having become temporarily deteriorated in value, they may make the advance upon the purchaser providing such security as they may deem sufficient to meet any risk arising from such temporary deterioration.

Person entitled as landlord to sell under Act.

14. Any persons entitled to an estate as trustees for sale, or trustees with a power of sale, and any body corporate, trustees for charities, commissioners, or trustees for collegiate or other public purposes, shall have the same power of selling under the Land Purchase Acts, as amended by this Act, as if they were private individuals, subject nevertheless to the provisions of the said Acts respecting the disposal of the purchase-money, and subject also to such consent (if any) as would be required in the case of a sale independently of the said Acts.

Miscellaneous and supplemental.

15.—(1.) The guaranteed land stock shall, from time to time as required for the purposes of this Act, be created by the Treasury, and issued by the Land Commission in the prescribed manner, and the National Debt Act, 1870, shall, but without creating any further charge on the Consolidated Fund, apply to the stock as if it were described in the First Schedule to that Act, and the Treasury may declare that the stock shall be subject to Part Five of that Act, and the stock shall be deemed to be Government stock within the meaning of the Savings Banks Act, 1880, and the Savings Banks Act, 1887.

33 & 34 Vict. c. 71.

43 & 44 Vict. c. 36.
50 & 51 Vict. c. 40.

(2.) All persons, including the National Debt Commissioners, shall have the like power of investing in the said stock as they have in consolidated annuities, and the National Debt Commissioners shall also, within the limits fixed by the Treasury in communication with them, give on application consolidated annuities in exchange for an equal nominal amount of guaranteed land stock.

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(3.) The trustees of any incumbrance, charge, annuity, or rent may at their discretion (notwithstanding any general prohibition of investment in securities not mentioned in the instrument creating the trust) accept in payment of such incumbrance or charge, or the capital value of such annuity or rent, guaranteed land stock as equal in value to the nominal amount thereof.

(4.) Where any holdings on an estate are sold by the Land Judge to the tenants thereof or to the Land Commission, the Land Judge may accept, in payment of the purchase money, guaranteed land stock as equal in value to the nominal amount thereof.

(5.) Rules of the Treasury shall provide for the consolidation of the said stock and for the commencement of the dividends on stock issued for an advance, and for the payment of interest at the like rate as the dividends for the period between the advance and the commencement of the dividends, and such interest shall be paid out of the Land Purchase Account, and if need be the Consolidated Fund and Guarantee Fund, as if it were part of the dividends.

(6.) The payments to the Sinking Fund, including the purchaser's insurance money, shall be paid to the National Debt Commissioners, who shall apply and invest the same and the income thereof for the purposes of this Act in the prescribed manner.

(7.) Subject to the prescribed regulations the cash portion of the Guarantee Fund, and the Reserve Fund, may be used for temporary advances to the Land Purchase Account, or for other current purposes connected with the administration of this Act, and the Reserve Fund shall, so far as not so used, be invested, and the income shall form part of the Fund.

51 & 52 Vict. c. 60.

(8.) The payment directed by section one of the Probate Duties (Scotland and Ireland) Act, 1888, shall be made as if the Guarantee Fund under this Act were substituted for the Local Taxation (Ireland) Account.

(9.) All sums directed or authorised by this Act to be paid out of the Consolidated Fund shall be charged on and issued out of that Fund or the growing produce thereof at such times as may be prescribed, and, if none are prescribed, as the Treasury direct.

(10.) The Treasury may cause such adjustments to be made between the Sinking Fund, inclusive of the purchaser's insurance money, the Land Purchase Account, the Guarantee Fund, the Guarantee Deposit, and the Reserve Fund, and such payments to be made from one Account or Fund or one portion of an Account or Fund to another, and sums to be placed to such credit, and such securities to be sold or bought as may be necessary for the purpose of carrying into effect this Act or the rules.

(11.) The issue of guaranteed land stock to the prescribed names or accounts shall be equivalent to the advance and payment of the purchase money, and to the retention by the Land Commission of any sum as a guarantee deposit, and all the provisions in the Land Purchase Acts relating to purchase-money and guarantee deposit respectively shall apply to guaranteed land stock so issued; and the interest payable on any guarantee deposit, where an advance is

made under this Act, shall, until the guarantee deposit is otherwise invested in pursuance of the Land Purchase Acts as amended by this Act, be at the rate of two pounds fifteen shillings per cent per annum instead of three per cent.

Amendment of 50 & 51 Vict. c. 33. s. 20, as applied to advances under this Act.

16. In the application of section twenty of the Land Law (Ireland) Act, 1887, to advances made under this Act, the said section shall be construed as if the word "three" were substituted for the words "three and one-eighth," and the interest in the said section mentioned shall be deemed for the purposes of this Act to be part of the purchase-annuity, save that no portion thereof shall be payable to the sinking fund.

Application of guaranteed land stock, in sale proceedings, for redemption of certain charges, payable to Land Commission.

17. In the course of any sale proceedings, if it shall appear to the Land Commission that any tithe rentcharge or head rent payable to them is redeemable out of the purchase-money, and may be redeemed without injury to, and without waiting to ascertain, the priority of any other charge, the Land Commission may, on the application of the landlord, order the redemption of the said tithe rentcharge or head rent, by transferring to the Land Commission, on account of the Irish Church Temporalities Fund, guaranteed land stock to the nominal amount payable in respect of such redemption, or pending redemption may transfer to the separate account of the said rentcharge or head rent, the said amount of guaranteed land stock, and, until such redemption, the interest on the said stock shall be paid to the Land Commission on account of the Irish Church Temporalities Fund; and the National Debt Commissioners, on request, shall, out of moneys in their hands under this Act applicable to the sinking fund, purchase the guaranteed land stock so held on account of the Irish Church Temporalities Fund at a price equal to its nominal amount.

On sale of settled land purchase-money may be applied to redemption of certain terminable charges.

18. When any land, being settled land within the meaning of the Settled Land Act, 1882, is sold under the Land Purchase Acts, as amended by this Act, and such land is subject to any instalment mortgage created under the provisions of the fifty-second section of the Irish Church Act, 1869, or to any land improvement charge or drainage charge, or to any instalments or annuity payable in respect of the purchase of any tithe rentcharge, under the Irish Church Act, 1869, or the Irish Church Amendment Act, 1872, it shall be lawful for the trustees of such settled land, or other person to whom the purchase-money thereof is payable, to apply the same in the redemption of any such instalment mortgage, charge, instalments, or annuity, as aforesaid, or such part of same as may at the time of such sale be apportioned in respect of the land sold.

Extended investment of purchase-money of holding.

19.—(1.) Where the land comprised in a holding sold to a tenant is settled land within the meaning of the Settled Land Acts, 1882 to 1890, and the purchase-money for such holding is received by the trustees of the settlement, those trustees, according to such direction and subject to such consent (if any) as is required by the Settled Land Acts, 1882 to 1890, may in their discretion invest the money not only on any security authorised by the Settled Land Acts, 1882 to 1890, but also in any other securities the investment in which is consented to by the person who, next after the then

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tenant for life and his or her wife or husband, is entitled to the money for his life or for any greater interest, and, if such person is under disability, the consent may be given in manner provided by section seventy-three of the Landed Estates Court Act.

(2.) Where the persons so entitled are trustees they may give the said consent without incurring any liability, and may give it before the agreement for sale is made, and where the persons so entitled are entitled as tenants in common, a majority of the persons representing more than half the value of the whole of the property of such tenants in common may give the said consent.

(3.) In the case of settled land, if there are no trustees of the settlement, trustees may be appointed under the Settled Land Acts, 1882 to 1890, before any such agreement for sale is made, and the trustees of the settlement may, before any such agreement for sale is made, consent to the securities in which money arising from any sale is to be invested.

(4.) This section shall not authorise an investment in any security specifically forbidden by the settlement, unless such investment be authorised by the Settled Land Acts, 1882 to 1890, but shall have effect notwithstanding any general prohibition of investing in securities not mentioned in the settlement.

Redemption of tithe rentcharge under 50 & 51 Vict. c. 33.

20. Where any tithe rentcharge, annuity, rentcharge, or rent, or any apportioned part thereof, is ordered to be redeemed pursuant to the provisions of the Land Law (Ireland) Act, 1887, the Land Commission shall have the same powers in respect of the redemption-money thereof as are contained in sub-section one of section fourteen of the said Act, and the provisions of section sixteen of the said Act shall apply to any superior rent affecting such tithe rentcharge or rent, or to any fee-farm grant or lease reserving the same.

Application of Guarantee Fund under Labourers (Ireland) Acts. 46 & 47 Vict. c. 60.

21. When under the provisions of this Act the whole or any portion of the county per-centage, or of the Exchequer contribution, is applied towards the cost of providing labourers' cottages in any county, so much of the sixth section of the Labourers (Ireland) Act, 1883, as enacts that an improvement scheme shall provide for a plot or garden not exceeding half a statute acre being allotted to each dwelling shall not apply; and such dwelling may be provided with or without such plot or garden:

Provided that, notwithstanding anything in the said Acts, it shall be lawful for any local authority with the said moneys to acquire existing dwellings and to repair dwellings so acquired.

Miscellaneous as to area.

22.—(1.) A holding situated in more than one county shall, for the purposes of this Act, be deemed to be in such county as the Land Commission, having regard to the area and value of the holding, determine.

(2.) The counties of cities and counties of towns specified in the First Schedule to this Act shall, for the purposes of this Act, be considered as included in the counties therein named for that purpose, and the amount required in pursuance of this Act to be raised by a levy on any such county shall be apportioned by the Lord Lieutenant between such county of a city or county of a town and the rest of the county, in proportion to the rateable value of each area, and the provisions of this Act as to a levy on a county

shall apply with the necessary modifications to such county of a city or town, and in particular with the substitution for the grand jury of the county of the grand jury of such county of a city or town, or of any body therein to whom the power of a grand jury as to the presentment of public money has been transferred.

(3.) Nothing in this Act shall apply to a municipal borough mentioned in the Second Schedule to this Act, except that it shall be entitled to the same share in the Exchequer contribution and the Irish probate duty grant, as if the Act applied.

(4.) Provided that, if the town council of any such municipal borough shall by resolution so declare, this Act shall apply to such municipal borough in like manner as if such municipal borough were specified in the First Schedule to this Act; and the same shall be considered as part of the county at large within which it is situated, and if such borough is situated within more than one such county each portion thereof shall be considered part of the county at large within which that portion is situated.

Investment of guarantee deposit.

23.—(1.) No portion of the guarantee deposit shall be invested in any security that is not readily realisable.

(2.) Notwithstanding anything in any of the Land Purchase Acts, in every case of an advance under the said Acts and this Act exceeding three-fourths of the purchase-money of a holding, the Land Commission shall retain a guarantee deposit out of the advance, unless such deposit is otherwise provided.

Application of guarantee deposit in case of sale of holding for default.

24. If the Land Commission, in the exercise of any power of sale of a holding, for default in payment of a purchase annuity, which they legally may exercise, have sold such holding, and the purchaser is the owner for the time being of the guarantee deposit relating to such holding, or entitled to the income thereof, the Land Commission may, at the request of such purchaser, and with the consent of the person or persons (if any) beneficially interested in the guarantee deposit, apply the guarantee deposit pro tanto in discharge of so much of the purchase money as is required to meet the amount of the annuity in default, and thereupon make an order declaring the purchaser's interest in the holding to be charged with such sum in favour of the person or persons entitled to the capital of the guarantee deposit, but subject nevertheless to the future instalments of the purchase annuity.

Power to Land Commission to claim possession of holding.

25. Whenever the Land Commission are entitled to cause any holding to be sold for the non-payment of any sum due to them, they may, if they think fit, apply to the High Court, in the manner prescribed by rules of the High Court, for an order to the sheriff to put them in possession of such holding, and it shall be lawful for such court, if it sees fit, and upon hearing such evidence as is offered, to issue an order accordingly, and such order shall be executed by the sheriff in like manner as a writ for the delivery of possession. Any order made under this section shall be subject to the same right of appeal as now by law exists from any order of the said court. The court shall ascertain and determine in such proceeding the amount due to the Land Commission, and if, within the time limited by such order, the person against whom such order

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is made shall pay to the Land Commission the amount so found due, together with the costs of such proceedings, the Land Commission shall certify accordingly and such order shall not issue or be executed.

Extension of 44 & 45 Vict. c. 49. s. 19.

26.—(1.) The provisions of section nineteen of the Land Law (Ireland) Act, 1881, and the enactments amending the same, shall apply in all cases where an advance is made for the purchase of a holding under the Land Purchase Acts and this Act, and the powers thereby conferred on the Land Commission in regard to the determination of rent shall be exerciseable by them, with the necessary modifications, in sanctioning an agreement for sale; and for that purpose the expression "labourer," as used in the said section and the said enactments, shall mean a man whose occupation during the ordinary season of agricultural work is the doing of agricultural work for hire on the holding, and shall include a herdsman.

(2.) It shall be the duty of the inspector appointed by the Land Commission to report whether the holding affords sufficient security for the advance applied for, to inquire into the condition in respect of house accommodation of every labourer employed on the holding, and to report to the Land Commission accordingly.

(3.) If an order has been made in favour of any labourer employed on the holding, no proceedings for the recovery of a penalty under such order shall be defeated by reason only of the labourer having been dismissed from such employment.

Power of Treasury to make rules.

27.—(1.) The Treasury may make rules for the purpose of carrying into effect this part of this Act, and in particular with respect to—

(*a*) the Sinking Fund and the creation and issue of the stock, and the cancellation of the stock when purchased or redeemed, and the sinking fund payments and dividends on account of stock cancelled;

(*b*) the audit of the accounts of any receipts and expenditure by the Controller and Auditor-General or otherwise;

(*c*) the conclusiveness of any certificate given in pursuance of such rules.

(2.) Such rules shall be laid before Parliament, and shall have effect as if enacted in this Act, and so far as they relate to the creation, issue, or redemption of stock, or to the Sinking Fund, shall not be altered without the consent of Parliament.

Tenure of Land Commissioners, &c.

28.—(1.) From the commencement of this Act the Land Commission shall be perpetual, but it shall be lawful for the Lord Chancellor to remove for inability or misbehaviour any Commissioner other than the Judicial Commissioner.

(2.) Every order of removal shall state the reasons for which it is made, and no such order shall come into operation until it has lain before both Houses of Parliament for not less than thirty days, nor if either House passes a resolution objecting to it.

(3.) Save as aforesaid, each Commissioner, other than the Judicial Commissioner, shall hold his office by the same tenure as if he were a county court judge in Ireland, and his salary shall be paid out

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of the Consolidated Fund; but none of the Commissioners shall by reason of this Act be entitled to any pension or superannuation allowance, save so far as he would have been so entitled if this Act had not passed.

(4.) The Lord Chancellor may nominate any judges of the High Court, other than the Lord Chief Justice and the Master of the Rolls, to act as additional Judicial Commissioners for the purposes of the Land Purchase Acts as amended by this Act for the time specified by him; and every judge so nominated shall during that time have the same jurisdiction for the purpose of determining any question of law, or of hearing any appeal, as the Judicial Commissioner for the purposes of the said Acts.

(5.) If and when the Judicial Commissioner is temporarily unable to attend, or his office is vacant, the Lord Chancellor may nominate any judge of the High Court to act temporarily in his place, and the judge so nominated shall during such inability or vacancy have the same jurisdiction as if he were the Judicial Commissioner.

(6.) A judge of the High Court appointed before the first day of January one thousand eight hundred and eighty-eight shall not, without his own consent, be nominated under this section.

(7.) Such of the assistant commissioners and such of the persons for the time being employed by the Land Commission as the Lord Lieutenant and the Treasury, after receiving and considering reports from the several members of the Land Commission, determine to be necessary and best qualified for the permanent organisation of the staff of the Land Commission, shall, as from the first day of January next after the passing of this Act, notwithstanding anything in the Land Purchase Acts, be permanent civil servants of the Crown within the meaning of section seventeen of the Superannuation Act, 1859; and in their case, and in the case of persons formerly employed by the Commissioners of Church Temporalities in Ireland or by the Land Commission who have since served continuously in the service of the Crown, their periods of service (if any) under the Commissioners of Church Temporalities in Ireland or under the Land Commission, as the case may be, shall be taken into account for all purposes of superannuation allowance, and such portion of the superannuation allowance (if any) as the Treasury determine to be properly payable in respect of such service shall be charged on and paid out of the Irish Church Temporalities Fund. 22 Vict. c. 26.

(8.) Notwithstanding anything in section seventeen of the Purchase of Land (Ireland) Act, 1885, any Commissioner in carrying the Land Purchase Acts and this Act into effect may submit any question of law arising under the said Acts for the hearing and determination of the Judicial Commissioner, and it shall not be necessary that any Commissioner shall sit with the Judicial Commissioner when he is hearing or determining any question of law under the provisions of that section. 48 & 49 Vict. c. 73.

Powers of Land Commissioners. 48 & 49 Vict. c. 73.

29.—(1.) Nothing in section seventeen of the Purchase of Land (Ireland) Act, 1885, shall be deemed to limit the jurisdiction of any member of the Land Commission under Part V. of the Land

Part I. Land Purchase. 44 & 45 Vict. c. 49.

Law (Ireland) Act, 1881, and the Acts amending the same, and anything done by any member of the Land Commission in carrying the said Acts into effect shall be as valid and effectual as if it were done by the Land Commission: Provided that any person aggrieved may appeal from the decision of any commissioner acting alone in carrying the said Acts into effect, and if the appeal is on a question of law only it shall be to the Judicial Commissioner, and in any other case it shall be to three commissioners, of whom one shall be the Judicial Commissioner one shall be a commissioner appointed under the Purchase of Land (Ireland) Act, 1885, and the third a commissioner appointed under the Land Law (Ireland) Act, 1881: Provided also that any order of the Land Commission in carrying the said Acts into effect shall, in the first instance, be made by a Commissioner sitting alone.

(2.) Provided that the duty of sanctioning advances under the Land Purchase Acts and this Act shall be discharged exclusively by the Commissioners appointed under the Purchase of Land (Ireland) Act, 1885, until the fair rent appeals lodged on or before the first day of June one thousand eight hundred and ninety-one shall have been disposed of.

(3.) The commissioners appointed under the Purchase of Land (Ireland) Act, 1885, shall thereupon have the same jurisdiction as if they had then been appointed, under the Land Law (Ireland) Act, 1881, members of the Land Commission, other than the Judicial Commissioner, notwithstanding that no order may have been made by the Lord Lieutenant under section seventeen of the Purchase of Land (Ireland) Act, 1885.

(4.) Provided also that, if it shall appear to the Lord Lieutenant that the security for any advance under this Act sanctioned by the decision of a single commissioner is inadequate, he may require the case to be reheard by three commissioners in the manner provided by this section.

(5.) The general rules and orders which shall be in force at the commencement of this Act in relation to the acquisition of land by tenants shall, until expressly varied by rules to be made as hereinafter provided, remain and be in force in all proceedings under the Land Purchase Acts, as amended by this Act, in the same manner in all respects as if they had been rules made under this Act.

(6.) All rules to be made by the Land Commission for carrying into effect the Land Purchase Acts, as amended by this Act, shall be made by a majority of the commissioners, which majority shall include the Judicial Commissioner.

Powers under 44 & 45 Vict. c. 49. ss. 43, 44.

30. The powers of delegation conferred on the Land Commissioners under the forty-third and forty-fourth sections of the Land Law (Ireland) Act, 1881, shall not apply to the discharge of duties arising under the Land Purchase Acts.

Power of Land Commission to determine disputes between tenants.

31. Where any tenants of an estate have agreed to purchase their holdings under the Land Purchase Acts, the Land Commission shall have power, if they think fit, where the agreements for sale so provide, to determine for the purposes of the sale all questions

which may arise respecting the boundaries of the holdings, easements, turbary, or appurtenances claimed by any of such tenants of such estate against any other of such tenants of the same estate.

Decisions as to advances to be published.

32. The Land Commission shall make public their decisions as to advances under this Act, and under the Land Purchase Acts, 1885 and 1888, in such manner as the Lord Lieutenant shall by rules direct.

Returns.

33. Periodical returns shall be made by the Land Commission at the prescribed times in each year and forthwith laid before Parliament, and shall contain with respect to every county the prescribed particulars, including the particulars herein-after mentioned, that is to say :—

(*a.*) Returns of advances under this Act, specifying—

(i.) the situation, size, rateable value, and rent (judicial or non-judicial) of each holding for the purchase of which an advance has been made ;

(ii.) the vendor and purchaser thereof ;

(iii.) the amount of the purchase-money, advance, and guarantee deposit ; and

(iv.) particulars of any order made under section nineteen of the Land Law (Ireland) Act, 1881, as amended by this Act, in relation to such holding and of the enforcement thereof ;

(*b.*) Returns specifying the like particulars as above mentioned with respect to cases (if any) in which default has been made in the payment of purchase annuities, and, specifying further the date of the advance, the amount of instalments paid and in default respectively, the proceedings taken for the recovery of the instalments in default, and the amount of loss on the occasion of the sale of any holding ;

(*c.*) Returns specifying—

(i.) the amount (if any) which has been temporarily advanced out of the Consolidated Fund, and the amount (if any) which has been paid out of the Guarantee Fund to the Land Purchase Account, or to the Consolidated Fund ;

(ii.) the amount which has been applied under this Act towards the cost of providing labourers' cottages ;

(iii.) the presentments (if any) which have been made under this Act ;

(iv.) the regulations and decisions which have been made by the Lord Lieutenant with respect to the share of any county, local authority, or person in any fund or sum dealt with under this Act, and with respect to the proportion in which advances are to be made in a county as between holdings the rent of which exceeds fifty pounds and other holdings ; and

(v.) the amounts paid out of the purchaser's insurance money under this Act, and the amounts paid out of the reserve fund and repaid to such fund under this Act.

Part II. Congested Districts.

PART II.

CONGESTED DISTRICTS.

Constitution of Congested Districts Board.

34.—(1.) For twenty years after the passing of this Act, and thereafter until Parliament shall otherwise determine, there shall be a Board called the Congested Districts Board for Ireland, consisting of the Chief Secretary and of a member of the Land Commission whom the Lord Lieutenant may nominate to especially represent agriculture and forestry, and who shall be ex-officio members of the board, and of five other members. The Chief Secretary, when absent, shall be replaced by the Under Secretary to the Lord Lieutenant.

(2.) It shall be lawful for Her Majesty, by warrant under the Royal Sign Manual, to appoint and fill up vacancies among the members, other than the ex-officio members, and also in the same manner to appoint one or more persons, not exceeding three, to be temporary members of the Board for the purpose of the business of the Board relating to fisheries, agriculture, or other special matters. A temporary member of the Board shall hold office for such period as may be mentioned in the warrant appointing such member.

(3.) Three members of the Board, not including temporary members, shall form a quorum, and any act of the Board may be signified under the hands of any three members of the Board.

Provision of moneys for purposes of Part II.

35.—(1.) For the purposes of this part of this Act, the sum of one million five hundred thousand pounds (in this Act referred to as the Church Surplus Grant) shall, with interest at the rate of two and three-quarters per cent per annum, be charged on the Irish Church Temporalities Fund, and such interest shall, so far as not required for the purposes of the Guarantee Fund as herein-after mentioned, be placed at the disposal of and paid or applied as may be directed by the Congested Districts Board for the purposes of this Act.

(2.) The interest on the Church Surplus Grant shall be paid by the Land Commission at such times as the Treasury direct, and so far as not for the time being required, may, under the directions of the Treasury, be invested, and the principal and income of such investment shall be dealt with as if it were the said interest.

(3.) The Land Commission may, with the consent of the Treasury, place at the disposal of and pay and apply as may be directed by the Congested Districts Board for the purposes of this Act any part of the principal of the Church Surplus Grant which may not in the opinion of the Treasury and of the Lord Lieutenant be required for the purposes of the contingent portion of the guarantee fund.

44 & 45 Vict. c. 49. 45 & 46 Vict. c. 47. 46 & 47 Vict. c. 43.

(4.) Section thirty-two of the Land Law (Ireland) Act, (1881), and section twenty of the Arrears of Rent (Ireland) Act, 1882, and section twelve of the Tramways and Public Companies (Ireland) Act, 1883, shall be repealed.

(5.) The Irish Reproductive Loan Fund and the Sea and Coast Fisheries Fund, including all moneys due on foot of loans, and for

Part II. Congested Districts.

interest, dividends, and other annual income payable on foot of such funds, save and except the sum of twenty thousand pounds, forming portion of the Sea and Coast Fisheries Fund, shall be placed at the disposal of the Board for the purposes of this Act, but shall be applicable only in any county in which the fund is before the passing of this Act applicable, and the said sum of twenty thousand pounds shall be retained by the Commissioners of Public Works, and expended by them elsewhere than in the congested district counties, as if this Act had not passed.

Congested districts counties, and application thereto of Part I.

36.—(1.) Where at the commencement of this Act more than twenty per cent of the population of a county, or in the case of the county Cork of either riding thereof, live in electoral divisions of which the total rateable value, when divided by the number of the population, gives a sum of less than one pound ten shillings for each individual, those divisions shall for the purposes of this Act be separated from the county in which they are geographically situate, and form a separate county (in this Act referred to as a congested districts county), and the provisions of this Act as to the share of a county in any portion of the Guarantee Fund shall apply to such county with the necessary modifications.

(2.) Provided that if within one year from the passing of this Act it appears to the Congested Districts Board that it is expedient to include under the provisions of this section any electoral division other than the divisions herein-before mentioned, or to exclude therefrom any electoral division, it shall be lawful for the Lord Lieutenant, on the report of the Board, to include or exclude, as the case may be, such division.

(3.) The interest on the Church Surplus Grant shall form part of the contingent portion of the Guarantee Fund, and be applicable for the purposes of that Fund next after the rates on Government property, and be apportioned between the congested districts counties in proportion to their population.

(4.) The local grants under the accounts headed "Model Schools and National Schools" shall not form part of the contingent portion of the Guarantee Fund for a congested districts county.

(5.) Where under this Act a sum is required to be raised by a levy on a county from which a congested districts county is separated, no portion of it shall be presented or applotted upon or raised out of any hereditaments in the latter county.

(6.) Where under this Act a sum is required to be raised by a levy on a congested districts county, one half of that sum shall be paid out of the share of the county in the interest on the Church Surplus Grant, so far as that share extends; and the residue shall be raised by the Lord Lieutenant by a levy on the county, and the requisition may be sent to the secretary of the grand jury of the entire county, and the same shall be paid accordingly, but shall solely be presented and applotted upon and raised out of the hereditaments within the congested districts county.

Amalgamation of small holdings in congested districts county.

37.—(1.) For the purpose of amalgamating small holdings in a congested districts county, the Congested Districts Board may—

(*a*) out of the moneys at their disposal, give special aid to the migration or emigration of any occupier of a holding, with his

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family, if any, and settling such migrant or emigrant under favourable circumstances in the place to which he first migrates or emigrates, on condition that he transfers his interest in that holding to an occupier of a neighbouring holding and that the holdings are amalgamated, or that he transfers such interest to the Land Commission; and

(*b*) recommend the Land Commission to facilitate the amalgamation of small holdings, which the Land Commission are hereby authorised to do, whether by the apportionment of a purchase-annuity and of the guarantee deposit, or by a sale to a tenant, or by making an advance towards the purchase of an interest in a holding; and any such advance may be made out of money supplied by the Board, and shall be repaid by an annuity charged on the holding as if the advance were made under the Land Purchase Acts, but all sums received by the Land Commission on account of such annuity shall be paid to the Board. The annuity may be charged on the amalgamated holding, and not merely on the holding purchased, subject nevertheless to any prior charges on such portion of the holding as has not been purchased, and subject to any rent of either holding.

(2.) Provided that no holding shall be increased by amalgamation under this section so that in the opinion of the Board the rateable value will exceed twenty pounds.

(3.) In a congested districts county a small holding purchased by means of an advance by the issue of stock under this Act, shall not during the continuance of the purchase-annuity charged thereon be sold, except to the occupier of a holding in the neighbourhood or to the Land Commission, and if it is, the Land Commission may cause the holding to be sold as if for a breach of condition under section thirty of the Land Law (Ireland) Act, 1881.

44 & 45 Vict. c. 49.

(4.) The purchase by the Land Commission of a holding shall be made through the Congested Districts Board, and out of moneys provided by the Board, and for such price as may be agreed on by the vendor and the Board, or, in case of difference, may be determined by the Land Commission to be its full market value.

(5.) Where a small holding in a congested districts county is (whether under this section or the Land Purchase Acts) liable to be sold, or has been purchased by the Land Commission, the Land Commission shall endeavour to sell the same to one of the occupiers of a neighbouring holding with a view to the holdings being amalgamated.

(6.) The sale may be made upon such terms and conditions and at such price as the Land Commission fix, and the price may not be greater than the difference between the value of the two holdings after amalgamation, and the value of the purchaser's holding before amalgamation.

(7.) The purchase money may be advanced as if it were for a purchase under the Land Purchase Acts, save that the annuity shall be charged on the amalgamated holding, and not merely

on the holding purchased, subject nevertheless to any prior charges on such portion of the holding as has not been purchased.

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Supplemental provisions as to amalgamation of holdings in congested districts county. 44 & 45 Vict. c. 49.

38.—(1.) On a holding amalgamated in pursuance of this Act, one house only shall be used as a dwelling-house, and if more than one house is so used, the Land Commission shall, except where that use is permitted as herein-after mentioned, cause the holding to be sold as if for a breach of condition under section thirty of the Land Law (Ireland) Act, 1881.

(2.) Provided that the Congested Districts Board, if they think special reasons justify the course, may request the Land Commission to permit, and thereupon the Land Commission shall permit, the former occupier of another house on the amalgamated holding or a member of his family to become and be caretaker of such other house, and of any yard and garden attached thereto, not exceeding one quarter of an acre, for such limited time and on such conditions as the Board approve.

(3.) Where a holding amalgamated in pursuance of this Act is of less value than the holdings out of which it was amalgamated, either because only one house can be used as a dwelling-house on the amalgamated holding, or otherwise by reason of the amalgamation, the Land Commission may, and on the request of the Congested Districts Board shall, certify the amount of the difference, and that amount shall be paid by the Board out of the moneys at their disposal to the person or department on whom the loss has fallen, and if paid to the Land Commission shall be applied towards the discharge of the purchase-annuity on the holding.

(4.) The provisions of this Act respecting the amalgamation of holdings shall, in cases where the Congested Districts Board think it expedient, apply to a part of a holding.

Power to aid migration and emigration, agriculture and industries.

39.—(1.) The Congested Districts Board may take such steps as they think proper for—

(*a*) aiding migration or emigration from any electoral division, which either forms part of a congested districts county, or the total rateable value of which, when divided by the number of the population, gives a sum of less than one pound ten shillings for each individual, and settling any migrant or emigrant under favourable circumstances in the place to which he first migrates or emigrates; and

(*b*) providing suitable seed potatoes and seed oats for sale to occupiers in any such electoral division; and

(*c*) aiding and developing agriculture, forestry, the breeding of live stock and poultry, weaving, spinning, fishing (including the construction of piers and harbours, and the supply of fishing boats and gear, and industries connected with and subservient to fishing) and any other suitable industries; and for the purposes of Part II. of this Act the Land Commission may acquire (by purchase or taking on lease) and hold land, and may place such land under the control of the Congested Districts Board on such terms and conditions as they may deem expedient.

Part II. Congested Districts.

(2.) The said seed shall be sold for ready money, and, where such price can be obtained for the same, for not less than the cost of the seed (including all expenses incurred for carriage, storage, or otherwise), except so far as such cost may be defrayed out of gifts specially given to the Board for that purpose.

(3.) Any person nominated by the Board may, at all reasonable times, and after due notice to the occupier, enter any land occupied by an occupier to whom seed has been sold, and ascertain whether it has been properly sown.

(4.) The Board may proceed under this section directly or indirectly, and by the application of money at their disposal or otherwise, and may make gifts or loans to any persons upon and subject to such conditions as the Board consider expedient, and any moneys received in respect of the principal or interest of the loans may be applied as part of the money placed at the disposal of the Board.

Supplemental as to Congested Districts Board.

40.—(1.) The Lord Lieutenant may direct the officers of the Land Commission to discharge such secretarial and other duties for the Board as he thinks proper, and for that purpose officers may be added to the permanent staff of the Land Commission, and if the Lord Lieutenant thinks those officers are insufficient, he may, with the sanction of the Treasury, authorise the Board to employ such officers as are required.

(2.) Any member of the Board shall be eligible to act as an officer under this section for any temporary purpose, but so long as he is employed as such officer he shall not act as a member of the Board.

(3.) The salaries or remuneration of the officers (if any) employed by the Board and the administrative expenses of the Board shall be fixed by the Treasury, and paid out of moneys provided by Parliament.

(4.) The Congested Districts Board may accept any gifts of property real or personal for all or any of the purposes for which money is provided under this part of this Act, and apply them according to the directions of the giver, if consistent in their opinion with the principles on which they apply the said money, and, subject to any such directions, may apply them in like manner as that money.

(5.) Any property given to the Board, and any investments made by or securities given to the Board, may be held, and given to the Land Commission, and shall be held by the Land Commission in trust for the purposes of this part of this Act, or such of them as the circumstances of the case require.

(6.) The Congested Districts Board shall submit to the Treasury annually and at any other time for any special purpose, in the form fixed by the Treasury, an estimate showing the amount proposed by the Board to be expended, and shall not expend any sums except in accordance with such estimate when approved by the Treasury, and shall not create any permanent charge on the Church Surplus Grant, except that they may with the sanction of the Treasury borrow out of the moneys available for local loans in Ireland on

Part II. Congested Districts.

the security of the annual income of the Church Surplus Grant such sum as, having regard to the liabilities of such income for the purposes of the Guarantee Fund and the other moneys at the disposal of the Board, the Treasury consider can be properly borrowed without danger to the security given by the Guarantee Fund.

(7.) The Board shall keep such accounts of their receipts and expenditure, and those accounts shall be audited in accordance with such regulations, as the Treasury direct, and be laid before Parliament.

Report of Congested Districts Board.

41. The Congested Districts Board shall once in every year after the year one thousand eight hundred and ninety-one make a report to the Lord Lieutenant on their proceedings under this Act, and every such report shall be presented to Parliament.

PART III.

Part III. Definitions.

Definitions, Repeals, &c.

Interpretation of terms.

42. In this Act, unless the subject or context otherwise requires :—

The expression "Local Government Board" means the Local Government Board for Ireland :

The expression "prescribed" means prescribed by rules made by the Treasury in pursuance of this Act :

The expression "Local Taxation (Ireland) Account" means the account to which that name is given in the Probate Duties (Scotland and Ireland) Act, 1888 :

51 & 52 Vict. c. 60.

The expression "Irish probate duty grant" means the sums which but for this Act would under section two of the last-mentioned Act be paid in respect of the probate duty grant to the Local Taxation (Ireland) Account :

The expression "Consolidated Fund" means the Consolidated Fund of the United Kingdom :

50 & 51 Vict. c. 2.

The expression "consolidated annuities" means the capital stock of perpetual annuities created under the National Debt Conversion Act, 1888, or consolidated with the annuities so created :

The expression "assizes" includes a presenting term, and the expression "judge of assize" includes a judge of the High Court, and the expression "County Treasurer" includes a Finance Committee or other persons exercising the functions of County Treasurer :

The expression "rateable value," when used in relation to any hereditament or area, means the annual rateable value under the Irish Valuation Acts of such hereditament or of the hereditaments comprised in such area :

The expression "annual value of the holding" means the annual sum which at the date of the application for an advance under the Land Purchase Acts is the rent of the holding in respect of which the advance is to be made, after deducting therefrom the average annual amount payable by the landlord during the five years next before such date for poor rate and grand jury

Part III. Definitions.

cess, and for tithe rentcharge (unless such tithe rentcharge is to be redeemed out of the purchase money); provided that, after the advance applied for has been sanctioned, the purchaser may apply to the Land Commission to determine the annual value of the holding, and thereupon such annual value shall be ascertained by the Land Commission in the manner prescribed by rules to be made by them, and in such case the said expression means the annual value so determined:

The expression "purchase-annuity" means an annuity for the repayment of an advance for the purchase of a holding made by the issue of stock under this Act:

The expression "population" means population according to the last published census for the time being:

The expression "local grants" means grants made in aid of local taxation or for local purposes out of moneys provided by Parliament, and any reference to the purposes or account for or on which grants are made shall be construed according to the terms of the estimates for such grants laid before the House of Commons and the heads of account therein mentioned:

33 & 34 Vict. c. 46. 35 & 36 Vict. c. 32. 44 & 45 Vict. c. 49. 46 & 47 Vict. c. 43. 48 & 49 Vict. c. 73. 50 & 51 Vict. c. 33. 51 & 52 Vict. c. 49. 52 & 53 Vict. c. 13. 48 & 49 Vict. c. 73. 51 & 52 Vict. c. 49.

The expression "Land Purchase Acts" means the Landlord and Tenant (Ireland) Act, 1870 (Parts II. and III.), the Landlord and Tenant (Ireland) Act, 1872, the Land Law (Ireland) Act, 1881 (Part V., Part VI., and Part VII.), the Tramways and Public Companies (Ireland) Act, 1883 (Part II.), the Land Purchase Acts, 1885 and 1888, the Land Law (Ireland) Act, 1887 (Parts II. and IV.), and the Purchase of Land (Ireland) Amendment Act, 1889; and the said Acts and this Act may be cited as the Land Purchase (Ireland) Acts, 1870 to 1891:

The expression "Land Purchase Acts, 1885 and 1888," means the Purchase of Land (Ireland) Act, 1885, and the Purchase of Land (Ireland) Amendment Act, 1888:

The expression "Irish Church Temporalities Fund" means the fund under the control of the Land Commission by virtue of the Irish Church Act Amendment Act, 1881:

44 & 45 Vict. c. 71.

The expression "a small holding" means a holding of a rateable value of less than ten pounds, or any higher sum fixed by the Congested Districts Board:

The expression "occupier" means an occupier whether tenant or proprietor:

The expression "county" means the riding of a county where such riding is separated from the county for fiscal purposes:

The expression "land judge" means the Land Judge of the Chancery Division of the High Court.

Repeal of enactments; construction; short title.

43.—(1.) The enactments described in the Third Schedule to this Act are hereby repealed to the extent appearing in the third column of that schedule.

(2.) This Act shall be construed as one with the Land Purchase Acts and may be cited as the Purchase of Land (Ireland) Act, 1891.

SCHEDULES.

Section 22.

FIRST SCHEDULE.

Counties of Cities and Towns included in Counties.

Names.	Counties in which included.
County of the city of Kilkenny - -	Kilkenny.
County of the town of Carrickfergus -	Antrim.
County of the town of Galway - -	Galway.
County of the town of Drogheda -	Louth.

SECOND SCHEDULE.

Section 22.

Municipal Boroughs to which the Act does not apply.

Dublin.
Cork.
Belfast.
Limerick.
Londonderry.
Waterford.

THIRD SCHEDULE.

Section 43.

ENACTMENTS REPEALED.

Enactments to be Repealed on Commencement of Act.

Chapter and Session.	Title of Act.	Extent of Repeal.
44 & 45 Vict. cap. 49.	The Land Law (Ireland) Act, 1881.	Section forty-one, from "The two Commissioners other" down to "passing of this Act"; the words "during the said period of seven years"; and from "but the person so appointed" to the end of the section, and section fifty-three so far as it applies to any person who, by virtue of the determination of the Lord Lieutenant and the Treasury under this Act, or otherwise is a permanent civil servant of the Crown.

Chapter and Session.	Title of Act.	Extent of Repeal.
48 & 49 Vict. cap. 73.	The Purchase of Land (Ireland) Act, 1885.	Section three, from "The Land Commission shall pay" down to "per annum," so far as respects an advance made by means of stock. Section seventeen, from "shall continue" to "appointments and"; the words "during the said period of three years"; and from "The person so appointed" down to "would have done." In section twenty-four, from "out of the Consolidated Fund," where those words first occur, to the end of the section.
51 & 52 Vict. cap. 49.	Purchase of Land (Ireland) Amendment Act, 1888.	Section five.

CHAPTER 49.

An Act to regulate the Charges of Returning Officers at Parliamentary Elections in Scotland.

[5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act shall be construed as one with the Ballot Act, 1872, the Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878, the Parliamentary Elections (Returning Officers) Act, 1885, the Returning Officers (Scotland) Act, 1886, and the Corrupt Practices Prevention Act, 1883, and may be cited as the Returning Officers (Scotland) Act, 1891.

Application of Act.

2. This Act shall extend to Scotland only, and only to parliamentary elections, but shall not apply to an election for any university or combination of universities.

Payments to returning officers.

3. The returning officer at an election shall be entitled to his reasonable charges not exceeding the sums mentioned in the schedule to this Act, in respect of services and expenses of the several kinds mentioned in the said schedule, which have been properly rendered or incurred by him for the purposes of the election; and save as herein-after mentioned he shall not be entitled to payment for any services or expenses, other than the before-mentioned charges, or at any greater rates than as in the said schedule mentioned, any law or usage to the contrary notwithstanding.

Provision for special steamers.

4. Nothing in the above-mentioned provisions shall prevent the employment by the returning officer of special steamers or boats for the purposes of an election in any constituency having a polling place or polling places so situated as not to be accessible except by sea; but the expenses thereby incurred shall be included in the returning officer's account, and shall be subject to taxation.

Use of ballot boxes, &c. provided for other elections.

5. It shall be the duty of the returning officer for any parliamentary election, so far as practicable, to make use of ballot boxes, fittings, and compartments provided for county council, municipal, or school board elections, and of sheriff court and municipal buildings, and the authorities in possession thereof shall be bound to allow such use, without any charge beyond what is necessary to make good damage done, and the auditor, upon taxation of returning officers accounts, shall have regard to the provisions of this section.

Death or disability of returning officer.

6. No appointment of a deputy or of any other officer appointed by a returning officer shall fail by reason of the death or disability of the returning officer subsequent to the issue of the notice of the election.

SCHEDULE.

CHARGES OF RETURNING OFFICERS.

The following are the maximum charges to be made by the returning officer, but the charges are in no case to exceed the sums actually paid or payable.

PART I.—COUNTIES AND DISTRICTS OR GROUPS OF BURGHS.

For publishing the notice of election and supplying the nomination papers.	The actual outlay not exceeding 2*l.* 2*s.*
For travelling to and from the place of nomination, or to and from the place where the poll is declared at a contested election, per mile.	£ *s.* *d.* 0 1 0 No travelling expenses to be allowed beyond the limits of the sheriffdom.
For hire or necessary fitting up of rooms or buildings for polling, or expense of or damage caused by use of such rooms or buildings,	The actual outlay not exceeding 3*l.* 3*s.* for each polling station where the number of voters does not exceed 600, and 2*l.* 2*s.* for each additional compartment required for each additional 600 voters or fraction of that number.
or	
For constructing each new polling station, with its fittings and compartments, &c.	The actual outlay not exceeding 7*l.* 7*s.* for each polling station.
For each ballot box required to be purchased.	The actual outlay not exceeding 15*s.*
For the use of each ballot box, not being the property of a public authority, when hired.	The actual outlay not exceeding 2*s.* 6*d.*
For stationery in each compartment of each polling station.	The actual outlay not exceeding 2*s.* 6*d.*
For printing and providing ballot papers, per thousand.	The actual outlay not exceeding 1*l.*

For each new stamping instrument -	The actual outlay not exceeding 15*s.*
For altering dies that have been used within seven years, or repairing stamping instruments.	The actual outlay not exceeding 3*s.* for each instrument.
For testing and repairing ballot boxes and stamping instruments borrowed from a public authority.	The actual outlay not exceeding 1*l.*
For each presiding officer - - - - At each polling station there shall be one presiding officer for the first 600 voters, and an additional presiding officer for each additional 600 voters or fraction of that number beyond the first 600.	£ *s.* *d.* 3 3 0 If the presiding officer is obliged to leave home in order to perform his duties in connexion with the election, a further fee of 1*l.* 1*s.* shall be allowed him for each night he is absent.
For one clerk to each presiding officer -	£ *s.* *d.* 1 1 0 If the clerk is obliged to leave home, in order to perform his duties in connexion with the election, a further fee of 10*s.* shall be allowed him for each night he is absent.
For every person employed in counting votes, not exceeding eight such persons where the number of registered electors does not exceed 4,000, and one for every additional 1,000 electors or fraction thereof.	£ *s.* *d.* 1 1 0
For printing or advertising notices (other than those herein provided for).	Not exceeding for the whole of such notices 10*l.*, and 1*l.* for every additional 1,000 electors above 5,000.
For conveyance of ballot boxes to and from the polling stations, where these cannot be sent along with the presiding officers or clerks, per mile.	£ *s.* *d.* 0 1 0
For professional and other assistance in and about the conduct of the election.	In a contested election, not exceeding 20*l.*, and an additional 1*l.* for every 1,000 registered electors or fraction thereof above 6,000. In an uncontested election, one half of the above sums.
For travelling expenses of presiding officers and clerks, per mile.	£ *s.* *d.* 0 1 0 No travelling expenses to be allowed beyond the limits of the sheriffdom.
For the distribution and posting up of notices.	The actual outlay not exceeding 15*l.*
For publishing notices of election agents and sub-agents and abstracts of candidates' accounts of election expenses.	The sums actually disbursed for a single insertion in one newspaper.
For all other expenses - - -	In a contested election, not exceeding 10*l.* In an uncontested election, nil.

Part II.—BURGHS.

This part of the Schedule applies to all burghs not included in Part I. of this Schedule.

For publishing the notice of election and supplying the nomination papers.	The actual outlay not exceeding 2*l.* 2*s.*
For travelling to and from the place of nomination, or to or from the place where the poll is declared, at a contested election, per mile.	£ *s.* *d.* 0 1 0 (No travelling expenses to be allowed beyond the limits of the sheriffdom.)
For hire or necessary fitting up of rooms or buildings for polling or expense of or damage caused by use of such rooms or buildings,	The actual outlay not exceeding 3*l.* 3*s.* for each polling station where the number of voters does not exceed 600, and 2*l.* 2*s.* for each additional compartment required for each additional 600 voters or fraction of that number.
or,	
For constructing each new polling station, with its fittings and compartments, &c.	The actual outlay not exceeding 7*l.* 7*s.* for each polling station containing two compartments where the number of voters does not exceed 1,400, and 1*l.* 1*s.* for each additional compartment when more than two are used.
For each ballot box required to be purchased.	The actual outlay not exceeding 15*s.*
For the use of each ballot box, not being the property of a public authority, when hired.	The actual outlay not exceeding 2*s.* 6*d.*
For testing and repairing ballot boxes and stamping instruments borrowed from a public authority.	The actual outlay not exceeding 1*l.*
For conveyance of ballot boxes to and from the polling stations, where these cannot be sent along with the presiding officers or clerks, per mile.	£ *s.* *d.* 0 1 0
For stationery in each compartment of each polling station.	The actual outlay not exceeding 2*s.* 6*d.*
For printing and providing ballot papers, per 1,000.	The actual outlay not exceeding 1*l.*
For each new stamping instrument -	The actual outlay not exceeding 15*s.*
For altering dies that have been used within seven years, or repairing stamping instruments.	The actual outlay not exceeding 3*s.* for each instrument.
For each presiding officer - - - At each polling station there shall be one presiding officer for the first 600 voters, and an additional presiding officer for each additional 600 voters or fraction of that number beyond the first 600.	£ *s.* *d.* 3 3 0

For one clerk to each presiding officer -	£ s. d. 1 1 0
For every person employed in counting votes, not exceeding eight such persons when the number of registered electors does not exceed 4,000, and one for every additional 1,000 electors or fraction thereof.	£ s. d. 1 1 0
For printing or advertising notices (other than those herein provided for).	Not exceeding for the whole of such notices 10*l.*, and 1*l.* for every additional 1,000 electors above 5,000.
For professional and other assistance in and about the conduct of the election.	In a contested election, not exceeding 20*l.*, and an additional 1*l.* for every 1,000 registered electors or fraction thereof above 6,000. In an uncontested election one half of the above sums.
For travelling expenses of presiding officers and clerks, per mile.	£ s. d. 0 1 0 No travelling expenses to be allowed beyond the limits of the sheriffdom.
For the distribution and posting up of notices.	The actual outlay not exceeding 2*l.*
For publishing notices of election agents and sub-agents and abstracts of candidates' accounts of election expenses.	The sums actually disbursed for a single insertion in one newspaper.
For all other expenses - - -	In a contested election, not exceeding 10*l.* In an uncontested election, nil.

PART III.—DEPUTY RETURNING OFFICERS.

The fees prescribed by 48 & 49 Vict. c. 62.

NOTE to SCHEDULE.—The above sums are the aggregate charges, the amount of which is to be apportioned among the several candidates or other persons liable for the same, but in the apportionment care shall be taken that each candidate shall pay for the advertising of the notice or notices of his own election agents and sub-agents, and of the abstract of his own account of election expenses.

The necessary printed copies of the register of voters required for polling shall be supplied by the county and burgh authorities respectively without charge.

CHAPTER 50.

An Act to amend the Commissioners for Oaths Act, 1889.

[5th August 1891.]

WHEREAS doubts have been entertained whether the powers to administer oaths and take affidavits conferred on a commissioner for oaths by the Commissioners for Oaths Act, 1889, extend to oaths and affidavits required by special provisions to be

52 & 53 Vict. c. 10.

made before a justice of the peace, or any particular person or officer, and it is expedient to remove such doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Affidavit, &c. may be made before commissioner at any place.

1. Where by or under the Merchant Shipping Acts, 1854 to 1889, or the Customs Consolidation Act, 1876, or the Patents, Designs, and Trade Marks Acts, 1883 to 1888, or the Pawnbrokers Act, 1872, or Acts amending the same respectively, any oath or affidavit is required to be taken or made before any particular person or officer, whether having special authority or otherwise, and whether at any particular place, or within any specified limits or otherwise, such oath or affidavit may be taken or made before a commissioner for oaths, at any place, and shall be as effectual to all intents and purposes as if taken or made before such person or officer, and at any particular place or within specified limits.

Amendment of 52 & 53 Vict. c. 10. s. 6. as to acting consular agent.

2. In section six of the Commissioners for Oaths Act, 1889, after the words "consular agent" shall be inserted the words "acting consul general, acting vice-consul, and acting consular agent."

Construction and short title.

3. This Act shall be read with the Commissioners for Oaths Act, 1889, and may be cited as the Commissioners for Oaths Act, 1891, and the Commissioners for Oaths Act, 1889, and this Act may be cited together as the Commissioners for Oaths Acts, 1889 and 1891.

CHAPTER 51.

An Act to amend the Law relating to the Slander of Women. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of law.

1. Words spoken and published after the passing of this Act which impute unchastity or adultery to any woman or girl shall not require special damage to render them actionable.

Provided always, that in any action for words spoken and made actionable by this Act, a plaintiff shall not recover more costs than damages, unless the judge shall certify that there was reasonable ground for bringing the action.

Short title and extent.

2. This Act may be cited as the Slander of Women Act, 1891, and shall not apply to Scotland.

CHAPTER 52.

An Act to amend the Public Health (Scotland) Acts.

[5th August 1891.]

53 & 54 Vict. c. 50.

WHEREAS by the Local Government (Scotland) Act, 1889, provision is made by sections seventeen and seventy-seven for dividing every county into districts for the purposes of the administration of the laws relating to public health, and by sections seventeen and seventy-eight for the constitution of a district committee for each district, which shall be the local authority therein under the Public Health (Scotland) Act, 1867, and any amending Act, in this Act referred to as the Public Health (Scotland) Acts:

30 & 31 Vict. c. 17.

And whereas such districts comprise several parishes, and it has been found to be expedient, in order to facilitate the administration of the last-mentioned Acts with respect to the supply of water to such districts or parts thereof, that the said Acts should be amended as herein-after provided:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited for all purposes as the Public Health (Scotland) Amendment Act, 1891, and the Public Health (Scotland) Acts and this Act shall be read and construed together as one Act.

Commencement of Act.

2. This Act shall not take effect within any district in any county until after the county council shall, on the application of the district committee, have passed a resolution approving of its taking effect within such district, such resolution having been passed, and such application having been sanctioned at meetings called with special notice of the resolution to be submitted thereat.

An application of a district committee or a resolution of a county council shall not have effect for the purposes of this section unless approved of by an absolute majority of the whole members of the district committee or county council, as the case may be.

Incorporation of Act and parts of Acts.

3. The following Acts, and parts of Acts, so far as the same respectively are applicable for the purposes and are not inconsistent with the provisions of the Public Health (Scotland) Act, 1867, are hereby incorporated with that Act:—

30 & 31 Vict. c. 17.

10 & 11 Vict. c. 17.

The Waterworks Clauses Act, 1847, except the provisions with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit, and except the words in section forty-four thereof, "with the "consent in writing of the owner or reputed owner of any such "house or of the agent of such owner";

26 & 27 Vict. c. 93.

The Waterworks Clauses Act, 1863;

8 & 9 Vict. c. 33.

The provisions of the Railway Clauses Consolidation (Scotland) Act, 1845, with respect to the temporary occupation of lands near the railway during the construction thereof, but such last-mentioned provisions shall apply only in the case of any reservoir, filter, or distributing tank which the local authority

may be authorised to construct, and the works immediately connected therewith; and for the purposes of this Act those provisions shall be read as if such reservoir, filter, or tank, and works were therein mentioned, instead of "the railway," and the boundaries of such reservoir, filter, or tank, and works, instead of "the centre of the railway;" and the prescribed limits shall be two hundred yards from such boundaries.

Division of assessment for water supply into (1) domestic water rate and (2) public water rate.

4. Upon this Act taking effect the expense incurred or to be incurred by the district committee as local authority under the provisions of the Public Health (Scotland) Acts during the year ensuing for water supply (including the sums necessary for payment of interest on and repayment of instalments of any money borrowed for providing such supply) shall be paid out of the assessments in this section authorised; that is to say:—

(1.) It shall be lawful for the county council, and they are hereby authorised and required, once in every year to impose and levy an assessment (to be called the domestic water rate) upon all lands and heritages within the district which shall have been supplied with water by the district committee as local authority at such rate in the pound as shall be sufficient, when supplemented by the public water rate, if any, to defray the expense herein-before mentioned;

(2.) It shall be lawful for the county council, and they are hereby authorised, once in every year to impose and levy an assessment (to be called the public water rate) if they shall think fit upon all lands and heritages within the district, but such rate if imposed shall not exceed threepence in the pound, and may be such less amount as the county council may from time to time determine.

(3.) The assessments or rates in this section mentioned shall not in the aggregate exceed the rates authorised by the Public Health (Scotland) Acts, and shall be imposed and levied and be payable, and may be recovered in the same manner, as nearly as may be, as assessments under the provisions of the Public Health (Scotland) Acts.

Provided always that—

(*a.*) Where a special water supply district has been formed in the manner provided in the said Acts, and a sufficient supply of water has been obtained and is maintained therein under the authority of the said Acts, the lands and heritages situated within such special water supply district shall not be liable to assessment for the expense of supplying water to other parts of the district:

(*b.*) The local authority shall not be obliged to furnish a supply of water to any person for any less sum than five shillings in any one year:

(*c.*) No person shall be entitled to demand such supply of water or to require the local authority to lay down communication pipes, unless some pipe of the local authority shall have been laid within one hundred feet of the house or other premises in respect of which such

supply or communication pipes are demanded, or unless the local authority shall become bound by virtue of a requisition and agreement made and executed in the manner and to the extent required by the Waterworks Clauses Act, 1847, to cause pipes to be laid down within the said distance of one hundred feet of such house or other premises.

Power to borrow on security of assessments.

5. The county council as the local authority may, in addition to the powers conferred by section eighty-nine (six) of the Public Health (Scotland) Act, 1867, borrow money for the purposes therein set forth on the security of the assessments hereby authorised, and may assign the said assessments and the general assessments that may be imposed under the said Act or any of them in security of the money to be so borrowed.

Power to abolish certain special water supply districts.

6. If in any special water supply district the maximum rates leviable shall be inadequate to provide and maintain a sufficient supply of water, it shall be lawful for the local authority, at a meeting called with special notice, to resolve by an absolute majority of their number, to apply to the county council, who may by an absolute majority of the whole members of the council resolve, subject to such conditions as they may determine regarding the payment of any debt that may affect such special water supply district, that the area embraced within the boundaries of such special water supply district shall cease to exist as a special water supply district, and, in the event of such local authority so resolving, such area shall, subject as aforesaid, from and after a date to be fixed by such local authority cease to be rated and assessed for the purposes of water supply separately from the district; but such area may continue to be rated and assessed separately from the district for the purpose of the payment of such debt.

A resolution of a local authority under this section shall not have effect until it is confirmed by the Secretary for Scotland on the application of the county council, and after such inquiry as the Secretary for Scotland shall deem necessary. The costs of any such inquiry shall be borne by the local authority.

Saving for existing water companies and commissioners.

7. Nothing contained in or done in pursuance of the provisions of this Act shall authorise the supply of water to, or any assessment to be imposed and levied within, any district or part of a district which is already authorised to be supplied with water by any water company or water commissioners or trustees established by Act of Parliament, or shall prejudice or affect the last proviso of sub-section one of section eighty-nine of the Public Health (Scotland) Act, 1867.

Saving for existing loans.

8. Nothing contained in or done in pursuance of the provisions of this Act shall in any way prejudice the rights or powers of creditors who before the passing of this Act have advanced moneys to any local authority under the Public Health (Scotland) Acts, and all securities for such moneys may be enforced against the same assessments against which they may be enforced at the passing of this Act.

CHAPTER 53.

An Act to amend the Supreme Court of Judicature Acts.

[5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Ex-Lord Chancellor to be a judge of Court of Appeal.

1. Every person who has held the office of Lord Chancellor shall be an ex-officio judge of the Court of Appeal, but he shall not be required to sit and act as a judge of that court, unless upon the request of the Lord Chancellor he consents so to do, and while so sitting and acting he shall rank therein according to his precedence as a peer.

President of Probate, Divorce, and Admiralty Division.

2. Whenever there is a vacancy in the office of a judge of the High Court who is president of the Probate, Divorce, and Admiralty Division thereof, it shall be lawful for Her Majesty, by letters patent, to appoint to that office as president of the said division any person who is a barrister of not less than fifteen years' standing, or who is a judge of the High Court or Court of Appeal, and the person so appointed shall, without prejudice to the rights of any judge of the Supreme Court existing at the passing of this Act, take precedence in court next after all ordinary judges of the Court of Appeal appointed before the time at which he shall become an ordinary or ex-officio member thereof.

Assessors in House of Lords.

3. For the purpose of aiding the House of Lords in the hearing and determination of appeals in Admiralty actions, the House may, in any such appeal in which it may think it expedient to do so, call in the aid of one or more assessors specially qualified, and hear such appeal wholly or partially with the assistance of such assessors.

This section shall be carried into effect in pursuance of Orders made by the House of Lords.

Explanation of position of High Court of Justice under 27 & 28 Vict. c. 25.

4. Whereas doubts have arisen with respect to the position of the High Court in England and appeals therefrom in cases of prize, and it is expedient to remove such doubts: Be it therefore enacted as follows:

(1.) The High Court in England shall be a prize court within the meaning of the Naval Prize Act, 1864, and shall have all such jurisdiction on the high seas, and throughout Her Majesty's dominions, and in every place where Her Majesty has jurisdiction, as under the Naval Prize Act, 1864, or otherwise the High Court of Admiralty possessed when acting as a prize court.

(2.) Subject to rules of court, all causes and matters within the jurisdiction of the High Court under this Act as a prize court shall be assigned to the Probate, Divorce, and Admiralty Division of the Court.

(3.) Any appeal from the High Court when acting as a prize court shall lie only to Her Majesty in Council, in accordance with the Naval Prize Act, 1864.

Short titles and construction.

5. This Act may be cited as the Supreme Court of Judicature Act, 1891, and shall be construed as one with the Supreme Court of Judicature Acts, 1873 to 1890, which Acts, with this Act, may be cited together as the Judicature Acts, 1873 to 1891.

CHAPTER 54.

An Act to facilitate the Acquisition of Ranges by Volunteer Corps and others. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power for volunteer corps to purchase land.

1. A volunteer corps may, with the consent of the Secretary of State, purchase land under this Act for military purposes.

Acquisition of land for volunteer corps by county council, &c.

2. The council of a county or borough may, at the request of one or more volunteer corps, purchase and hold lands on behalf of such volunteer corps for military purposes.

Machinery for purchase of land.

3.—(1.) For the purpose of purchase of land by a volunteer corps under this Act the Lands Clauses Acts shall be incorporated with this Act with the exceptions and additions and subject to the provisions following; that is to say,—

8 & 9 Vict. c. 18.

(*a.*) There shall not be incorporated with this Act sections sixteen or seventeen of the Lands Clauses Consolidation Act, 1845, or the provisions of that Act with respect to affording access to the special Act, or sections fifteen or sixteen of the Lands Clauses Consolidation (Scotland) Act, 1845 :

8 & 9 Vict. c. 19.

(*b.*) In the construction of this Act and the incorporated Acts this Act shall be deemed to be the special Act, and the volunteer corps shall be deemed to be the promoters of the undertaking :

(*c.*) The volunteer corps shall not put in force the provisions of the incorporated Acts with respect to the purchase of land compulsorily until they have obtained the sanction of Parliament in manner in this Act mentioned :

(*d.*) One month at the least before making any application to Parliament for sanction to the compulsory purchase of land under this Act, the volunteer corps shall serve, in manner provided by the Lands Clauses Acts, a notice on every owner or reputed owner, lessee or reputed lessee, and occupier of any land intended to be so purchased, describing the land intended to be taken, and in general terms the purposes to which it is to be applied, and stating the intention of the volunteer corps to obtain the sanction of Parliament to the purchase thereof, and inquiring whether the person so served assents or dissents to the taking of his land, and requesting him to forward to the volunteer corps any objections he may have to his land being taken :

(*e.*) On compliance with the provisions of this section with respect to notices, the volunteer corps may, if they think fit, present a petition to the Secretary of State. The petition shall state the lands intended to be taken, and the purposes for which they are required, and the names of the owners, lessees, and occupiers of lands who have assented, dissented, or are neuter in respect of the taking such lands, or who have returned no answer to the notice. The petition shall pray that the volunteer corps may, with reference to such lands, be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, and the prayer shall be supported by such evidence as the Secretary of State requires:

(*f.*) On receipt of the petition and on due proof of the proper notices having been served, the Secretary of State shall take the petition into consideration, and may either dismiss the same, or direct a local inquiry to be made by a competent officer as to the propriety of assenting to the prayer of the petition:

(*g.*) If after the inquiry has been made the Secretary of State is satisfied that the land ought to be taken, he shall submit a Bill to Parliament containing provisions authorising the volunteer corps to take the land, and any such Bill shall be deemed to be a public Bill, and, if passed into an Act, to have conveyed the sanction of Parliament to purchase the land therein mentioned or referred to:

Provided that if, while the Bill is pending in either House of Parliament, a petition is presented against anything comprised therein, the Bill may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of private Bills.

(2.) The foregoing provisions of this section shall apply for the purpose of the purchase of land under this Act by the council of a county or borough, with the substitution of the council of the county or borough for the volunteer corps.

Power to let land.

4. Land acquired under this Act may be let by a volunteer corps, or if acquired by the council of a county or borough by the council, in any manner consistent with the use thereof for military purposes.

Payment of expenses.

5. Any expenses incurred by the council of a county or borough for the purposes of this Act shall be defrayed by the council of a county out of the county fund, and by the council of a borough out of the borough fund or borough rate.

Power of volunteer corps to borrow.

6.—(1.) A volunteer corps may, with the consent of the Secretary of State, and subject to such conditions as he may impose, borrow such money as may be required for the purpose of the purchase by them of land under this Act.

(2.) The money shall be borrowed on the security of the land acquired by the volunteer corps, and also on the security of any grant to the corps out of money provided by Parliament.

Powers of borough council to borrow.

7. The council of a borough may borrow on the security of the borough fund or borough rate for the purpose of acquiring land

under this Act in like manner as they may borrow for the purposes of the Public Health Act, 1875, and the provisions of that Act shall apply accordingly.

38 & 39 Vict. c. 55.

Power for Public Works Loan Commissioners to lend.

8.—(1.) The Public Works Loan Commissioners may in manner provided by the Public Works Loans Act, 1875, lend any money which may be borrowed for the purposes of this Act, and may so lend on the security authorised by this Act without requiring any other security.

38 & 39 Vict. c. 89.

(2.) Every loan by the Public Works Loan Commissioners under this Act shall be repaid within a period not exceeding fifty years and shall bear interest at a rate not less than three and a half per cent. per annum or such other rate as may be fixed by a minute of the Treasury under section two of the Public Works Loans Act, 1879.

42 & 43 Vict. c. 77.

Provision as to disbandment of corps, &c.

9.—(1.) If a volunteer corps holding land under this Act is disbanded, the land shall, by virtue and subject to the provisions of this section, vest in the Secretary of State from the date of the disbandment, subject to the repayment of any money borrowed for the purchase of the land, and not already repaid, and the sums required for such repayment shall, if and so far as not provided by the sale of the land, be paid out of moneys provided by Parliament for Army services.

(2.) A certificate of the Secretary of State that land has vested in him under this section shall be conclusive evidence of the fact certified.

(3.) If the volunteer corps on whose behalf land is acquired under this Act by a county or borough council are disbanded, the council may either appropriate the land to any purpose approved by the Local Government Board, or sell it for the best price that can be reasonably obtained, and any money arising from the sale shall be applied towards repaying any money borrowed for the purchase of the land, and so far as not required for that purpose shall be applied to any purpose to which capital moneys are properly applicable, and which is approved by the Local Government Board.

Provided that before so appropriating any such land or before selling any such land, if it is not so appropriated, the council shall offer to sell the same to the person then entitled to the lands (if any) from which the same was originally severed, and thereupon sections one hundred and twenty-nine to one hundred and thirty-two, both inclusive, of the Lands Clauses Consolidation Act, 1845, shall apply as if the land were superfluous land and the council were the promoters of the undertaking within the meaning of those sections.

8 & 9 Vict. c. 18.

Powers as to grants of land and rights over land.

10. The powers exerciseable by the persons and bodies of persons mentioned in section two of the Drill Grounds Act, 1886, and the power to make byelaws conferred by the Artillery and Rifle Ranges Act, 1885, may be exercised with respect to any lands, notwithstanding any prohibition or restriction contained in any local or personal Act, or in any Act specially relating to such persons, bodies, or lands, and notwithstanding any common or other rights or easements over the lands:

49 & 50 Vict. c. 5.
48 & 49 Vict. c. 36.

Provided that if, by the exercise of any such power, any pecuniary interest in any such prohibition or restriction, or any common or other right or easement over land, is prejudicially affected, full compensation shall be paid therefor, and the Lands Clauses Acts shall apply as if the land had been acquired in pursuance of those Acts, and the interest, right, or easement were an interest omitted to be purchased.

Where any lands are vested in the Crown and are under the management of any commissioners or department other than the Commissioners of Woods, and where lands are held by any public department for the public service, the commissioners or department having the management of such lands may exercise, as regards those lands, any power which, under Part V. of the Volunteer Act, 1863, or section two of the Drill Grounds Act, 1886, or the Barracks Act, 1890, or this Act, may be exercised, as respects lands belonging to the Crown, by the Commissioners of Woods.

26 & 27 Vict. c. 65.

53 & 54 Vict. c. 25.

Power to have compensation settled by arbitration.

11.—(1.) Where any land is acquired, either under the Defence Act, 1842, and the Acts amending the same, or for military purposes under any Act with which the Lands Clauses Acts are incorporated, the person or authority acquiring the land may require that the compensation to be paid for the land be settled by arbitration and not by reference to a jury, and thereupon the provisions of the Lands Clauses Acts with reference to arbitration shall, if not already applicable, apply for the purpose of settling the compensation.

5 & 6 Vict. c. 94.

(2.) Section four of the Barracks Act, 1890, is hereby repealed.

Power to enter on lands to fix alignment marks.

12. Where the Secretary of State certifies that it is necessary for the purposes of coast defence operations that alignment marks should be provided in any places upon the coast, the following provisions shall apply for that purpose :—

(*a.*) Any person authorised by the Secretary of State may, after seven days' notice to the owner of the lands, enter upon any lands for the purpose of erecting, repairing, or replacing such alignment marks, and may do all things necessary for any such purpose, but shall do as little damage to the lands as possible.

(*b.*) Full compensation shall be paid to the owner of the lands for any damage caused in or by the erection, repair, or replacement of such alignment marks, and in case of dispute the amount of compensation shall be determined by arbitration under the Arbitration Act, 1889.

52 & 53 Vict. c. 49.

(*c.*) If any person refuses to permit any authorised person to enter upon any lands for the purpose of this section, or obstructs the erection, repair, or replacing of any such alignment marks, or destroys, displaces, damages, or obstructs, any such alignment marks, he shall be liable on summary conviction to a fine not exceeding five pounds.

Rules as to exercise of powers, &c. by volunteer corps.

13.—(1.) Rules under section twenty-four of the Volunteer Act, 1863, may provide for the exercise of any powers and the performance of any duty under this Act by any officer of the volunteer corps on behalf of the corps, and may provide generally for the carrying into effect of this Act by a volunteer corps.

(2.) The powers given by section twenty-five of the Volunteer Act, 1863, to the commanding officer for the time being of a volunteer corps and his successors, shall include a power to mortgage any land acquired under this Act and to do all things necessary for that purpose.

Application to yeomanry corps.

14. Part V. of the Volunteer Act, 1863, and this Act shall apply in the case of a yeomanry corps as if it were a volunteer corps; and all land acquired by a yeomanry corps shall vest in the commanding officer of the corps for the time being and his successors in office, with power for him to sue and make contracts and conveyances, and to do all other lawful acts relating thereto.

Definitions.

15.—(1.) In this Act the expression "military purposes" includes rifle or artillery practice on or under ground, the erection of butts, targets, batteries, and other accommodation for such practice, the storing of arms, military drill, and any other purpose connected with military matters approved by the Secretary of State.

(2.) In this Act and the enactments incorporated therewith the expression "land" includes any easement in or over lands, and, in particular, any right of firing over lands or other right of user.

Saving.

16. All powers given by this Act shall be in addition to any other power to acquire land for military purposes conferred by any Act passed before this Act.

Short title.

17. This Act may be cited as the Ranges Act, 1891.

CHAPTER 55.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and ninety-two, and to appropriate the Supplies granted in this Session of Parliament. [5th August 1891.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grant out of Consolidated Fund.

Issue of £32,335,139 out of the Consolidated Fund.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and

ninety-two the sum of thirty-two million three hundred and thirty-five thousand one hundred and thirty-nine pounds.

Power for the Treasury to borrow.

2. The Commissioners of Her Majesty's Treasury may borrow from time to time, on the credit of the said sum of thirty-two million three hundred and thirty-five thousand one hundred and thirty-nine pounds, any sum or sums of equal or less amount in the whole, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any moneys so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to Her Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of sixty-two million sixty-four thousand seven hundred and sixty-nine pounds ten shillings and elevenpence are appropriated and shall be deemed to have been appropriated as from the date of the passing of the first of the Acts mentioned in the said Schedule (A.) for the purposes and services expressed in Schedule (B.) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the army services respectively be not exceeded.

4. If a necessity arise for incurring expenditure not provided for in the sums appropriated to naval and military services by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course, each of the departments entrusted with the control over the said services shall forthwith make application in writing to the Commissioners of Her Majesty's Treasury for their authority to defray temporarily such expenditure out of any surpluses which may have been or which may be effected by the saving of expenditure upon votes within the same department, and in such application the department shall represent to the Commissioners of the Treasury the circumstances which may render such additional expenditure necessary, and thereupon the said Commissioners may authorise the expenditure unprovided for as aforesaid to be temporarily defrayed out of any surpluses which may have been or which may be effected as aforesaid upon votes within the same department; and a statement showing all cases in which the naval and military departments have obtained the sanction of the said Commissioners to any expenditure not provided for in the respective votes aforesaid, accompanied by copies of the representations made to them by the said departments, shall be laid before the House of Commons with the appropriation accounts of navy and

army services for the year, in order that such proceedings may be submitted for the sanction of Parliament, and that provision may be made for the deficiencies upon the several votes for the said services in such manner as Parliament may determine.

The Commissioners of the Treasury shall not authorise any expenditure which may cause an excess upon the aggregate sums appropriated by this Act for naval services and for army services respectively.

Sanction for navy and army expenditure for 1889–90 unprovided for.

5. Whereas the Commissioners of the Treasury, under the powers vested in them by the Appropriation Act, 1889, have authorised expenditure not provided for in the sums appropriated by the said Act to certain votes for naval and military services for the year ended on the thirty-first day of March one thousand eight hundred and ninety to be temporarily defrayed out of surpluses, effected by the saving of expenditure, on other votes for naval and military services for the said year; viz.,

1st. A sum of three hundred and forty-five thousand nine hundred and sixteen pounds sixteen shillings and fourpence for navy services out of the unexpended balances of certain votes, aided by sums realised in excess of the estimated appropriations in aid:

2nd. A sum of ninety-seven thousand six hundred and sixty-four pounds seventeen shillings and tenpence for army services out of the unexpended balances of certain votes, aided by sums realised in excess of the estimated appropriations in aid:

It is enacted that the application of the said sums is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy, or civil non-effective services until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Commissioners of Her Majesty's Treasury before one of the persons prescribed by such warrant.

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Commissioners of Her Majesty's Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

Short title of Act.

7. This Act may be cited for all purposes as the Appropriation Act, 1891.

ABSTRACT
OF
SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - -	62,064,769	10	11

SCHEDULE (B.)—Appropriation of Grants.

	1890–91.	£ s. d.	£ s. d.
Part 1.	Civil Service Deficiencies, 1889–90	5,885 10 11	
,, 2.	Civil Services and Revenue (Supplementary), 1890–91 - -	489,940 0 0	
,, 3.	Navy (Supplementary), 1890–91 -	350,000 0 0	
			845,825 10 11
	1891–92.		
,, 4.	Navy - - - - -		14,215,100 0 0
,, 5.	Army (including Ordnance Factories) - -		17,545,400 0 0
		£	
,, 6.	Civil Services, Class I. - -	2,088,712	
,, 7.	Ditto, Class II. - -	2,297,483	
,, 8.	Ditto, Class III. - -	4,393,877	
,, 9.	Ditto, Class IV. - -	7,055,665	
,, 10.	Ditto, Class V. - -	656,393	
,, 11.	Ditto, Class VI. - -	646,024	
,, 12.	Ditto, Class VII. - -	397,393	
	Total Civil Services - - -		17,535,547 0 0
,, 13.	Revenue departments, &c. - - -		11,922,897 0 0
			62,064,769 10 11

SCHEDULE (A.)

Sched. (A.)

Grants out of the Consolidated Fund.

For the service of the years ending 31st March 1890 and 1891:—	£ s. d.
Under Act 54 Vict. c. 6. - - - -	845,825 10 11
For the service of the year ending 31st March 1892:—	
Under Act 54 Vict. c. 6. - - - -	12,953,803 0 0
Under Act 54 & 55 Vict. c. 27. - - -	15,930,002 0 0
Under this Act - - - - -	32,335,139 0 0
Total - - -	62,064,769 10 11

SCHEDULE (B.)—Part 1.

Civil Services Deficiencies, 1889–90.

Sched. (B.) Part 1. Civil Service Deficiencies, 1889–90.

Schedule of Sums granted to make good deficiencies on the several grants herein particularly mentioned for the year ended on the 31st day of March 1890; viz.:—

CIVIL SERVICES.	
Class II.	£ s. d.
Paymaster General's Office - - - - -	102 12 3
Class III.	
County Courts - - - - - - -	5,780 4 0
Court of Bankruptcy, Ireland - - - - -	2 14 8
Total - - -	5,885 10 11

SCHED. (B.) PART 2. Civil Services and Revenue Departments (Supplementary), 1890-91.

SCHEDULE (B.)—PART 2.

CIVIL SERVICES AND REVENUE DEPARTMENTS (SUPPLEMENTARY), 1890–91.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1891; viz.:—

	£
CIVIL SERVICES.	
CLASS I.	
Public Works and Buildings, Ireland	136,200
CLASS II.	
Colonial Office	500
Bankruptcy Department of the Board of Trade	10
Friendly Societies Registry	455
Mint, including Coinage	20,000
Works and Public Buildings, Office of	1,150
CLASS III.	
Police Courts, London and Sheerness	200
Constabulary, Ireland, Force Fund	150,000
CLASS IV.	
London University	190
CLASS V.	
Colonial Services, including South Africa	11,484
Treasury Chest	15,005
CLASS VI.	
Superannuation and Retired Allowances	3,915
CLASS VII.	
Relief of Distress, Ireland	5,000
Ditto	55,831
REVENUE DEPARTMENTS.	
Post Office	90,000
Total	489,940

SCHED. (B.) PART 3. Navy.

SCHEDULE (B.)—PART 3.

NAVY (SUPPLEMENTARY), 1890-91.

	£
Shipbuilding, Repairs, Maintenance, &c., Matériel	350,000

SCHEDULE (B.)—PART 4.

SCHED. (B.) PART 4. Navy.

NAVY.

SCHEDULE of SUMS granted to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:—

No.		Sums not exceeding
		£
1.	For wages, &c. to 71,000 officers, seamen, and boys, coast-guard, and Royal marines	3,404,000
2.	For the expense of victualling and clothing for the navy, including the cost of victualling establishments at home and abroad	1,145,800
3.	For medical establishments and services and cost of medicines	122,700
4.	For martial law, &c., including the cost of naval prisons at home and abroad	11,700
5.	For educational services	75,500
6.	For scientific services	61,300
7.	For the expense of the royal naval reserve, reserve of retired officers, seamen and marine pensioners, and royal naval artillery volunteers	153,100
8.	Sect. 1. For the expense of the personnel for shipbuilding, repairs, and maintenance, including the cost of establishments of dockyards and naval yards at home and abroad	1,751,800
,,	Sect. 2. For the expense of the materiel for shipbuilding, repairs, and maintenance, including the cost of establishments of dockyards and naval yards at home and abroad	1,862,700
,,	Sect. 3. For the expense of contract work for shipbuilding, repairs, and maintenance, including the cost of establishments of dockyards and naval yards at home and abroad	1,260,800
9.	For naval armaments	1,528,700
10.	For works, buildings, and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid, and other charges connected therewith	417,600
11.	For miscellaneous effective services	140,400
12.	For the expense of the Admiralty Office	221,100
13.	For half-pay, reserved and retired pay to officers of the navy and marines	779,200
14.	For naval and marine pensions, gratuities, and compassionate allowances	924,700
15.	For civil pensions and gratuities	319,200
16.	For the expense necessary to be provided for under the arrangement made between the Imperial and Australasian Governments for the protection of floating trade in Australasian waters	34,800
	TOTAL NAVY SERVICES	14,215,100

SCHEDULE (B.)—PART 5.

ARMY.

SCHED. (B.) PART 5. Army.

SCHEDULE of SUMS granted to defray the charges for the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:—

No.		Sums not exceeding £
1.	For the pay, allowances, and other charges of Her Majesty's army at home and abroad (exclusive of India), and of the general staff, regiments, and reserve (to a number not exceeding 71,800), and departments	5,632,700
2.	For medical establishments and services and cost of medicines	292,800
3.	For the pay and allowances (exclusive of supplies, clothing, &c.) of the militia (to a number not exceeding 136,709, including 30,000 militia reserve)	540,000
4.	For the pay and miscellaneous charges of the yeomanry cavalry	74,400
5.	For capitation grants and miscellaneous charges of volunteer corps, including pay, &c., of the permanent staff	761,000
6.	For the expense of transport and remounts	631,700
7.	For provisions, forage, and other supplies	2,605,000
8.	For clothing establishments and services	820,600
9.	For the supply and repair of warlike and other stores	1,847,100
10.	For the Royal Engineer superintending staff, and expenditure for Royal Engineer works, buildings, and repairs at home and abroad (including purchases)	716,700
11.	For establishments for military education	112,500
12.	For miscellaneous effective services	160,900
13.	For the salaries and miscellaneous charges of the War Office	257,900
14.	For retired pay, half-pay, and other non-effective charges for officers and others	1,551,100
15.	For Chelsea and Kilmainham hospitals, and the in-pensioners thereof, for out-pensions, for the maintenance of lunatics for whom pensions are not drawn, and for gratuities awarded in commutation and in lieu of pensions, exclusive of charges on India	1,380,800
16.	For superannuation, compensation, and compassionate allowances, and gratuities	160,100
	TOTAL ARMY SERVICES £	17,545,300

ARMY (ORDNANCE FACTORIES).

	For the expense of the ordnance factories, the cost of productions of which are charged to the army, navy, and Indian and Colonial Governments	100
	TOTAL ARMY SERVICES (INCLUDING ORDNANCE FACTORIES) £	17,545,400

SCHEDULE (B.)—Part 6.

CIVIL SERVICES.—Class I.

Schedule of Sums granted to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:— Sched. (B.) Part 6. Civil Services. Class I.

No.		Sums not exceeding £
1.	For expenditure in respect of royal palaces and Marlborough House	36,710
2.	For the royal parks and pleasure gardens	94,904
3.	For expenditure in respect of the Houses of Parliament buildings	34,625
4.	For the extension of the Admiralty buildings	50,000
5.	For expenditure in respect of miscellaneous legal buildings, viz., County Courts, Metropolitan Police Courts, and Sheriff Court Houses, Scotland	64,346
6.	For expenditure in respect of Art and Science buildings, Great Britain	33,461
7.	For expenditure in respect of diplomatic and consular buildings, and for the maintenance of certain cemeteries abroad	50,758
8.	For the Customs, Inland Revenue, Post Office, and Post Office Telegraph buildings in Great Britain, including furniture, fuel, and sundry miscellaneous services	337,350
9.	For expenditure in respect of sundry public buildings in Great Britain not provided for on other votes	177,450
10.	For the survey of the United Kingdom, and for revising the survey for maps for use in proceedings before the Land Judges in Ireland and the Irish Land Commission, publication of maps, and engraving the geological survey	215,770
11.	For maintaining certain harbours, lighthouses, &c. under the Board of Trade	24,596
12.	For constructing a new harbour of refuge at Peterhead	30,040
13.	For a grant in aid of the funds of the Commissioners of the Caledonian Canal	5,000
14.	For rates and contributions in lieu of rates, &c., in respect of Government property, and for salaries and expenses of the rating of Government property department	240,173
15.	For the erection, repairs, and maintenance of public buildings in Ireland, for the maintenance of certain parks and public works, for drainage works on the Rivers Shannon and Suck	235,000
16.	For payments under the Tramways and Public Companies (Ireland) Act, 1883, and the Light Railways (Ireland) Act, 1889	458.529
	Total Civil Services, Class I. £	2,088,712

SCHEDULE (B.)—PART 7.

CIVIL SERVICES.—CLASS II.

SCHED. (B.) PART 7. Civil Services. Class II.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:—

No.		Sums not exceeding
		£
1.	For salaries and expenses in the offices of the House of Lords	42,719
2.	For salaries and expenses in the offices of the House of Commons	49,592
3.	For salaries and expenses of the department of Her Majesty's Treasury and subordinate departments	92,394
4.	For salaries and expenses of the office of Her Majesty's Secretary of State for the Home Department and subordinate offices	96,385
5.	For salaries and expenses of the department of Her Majesty's Secretary of State for Foreign Affairs	71,015
6.	For salaries and expenses of the department of Her Majesty's Secretary of State for the Colonies, including certain expenses connected with Emigration	42,382
7.	For salaries and expenses of the department of Her Majesty's Most Honourable Privy Council and for quarantine expenses	16,509
8.	For salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments	166,213
9.	For meeting the deficiency of income from fees, &c. for the requirements of the Board of Trade, under the Bankruptcy Acts, 1883 and 1890, and the Companies Winding-up Act, 1890	14
10.	For the salaries and expenses of the Board of Agriculture, and for defraying the repayable expenses to be incurred in matters of Inclosure and Land Improvement	48,173
11.	For salaries and expenses of the Charity Commission for England and Wales, including the Endowed Schools and City of London Parochial Charities departments	39,867
12.	For salaries and expenses of the Civil Service Commission	41,441
13.	For salaries and expenses of the department of the Comptroller and Auditor General	57,291
14.	For salaries and expenses of the Registry of Friendly Societies	7,972
15.	For salaries and expenses of the Local Government Board	166,704
16.	For salaries and expenses of the office of the Commissioners in Lunacy in England	13,944
17.	In aid of the Mercantile Marine Fund	40,000
18.	For salaries and expenses of the Mint, including the expenses of the coinage	73,686
19.	For salaries and expenses of the National Debt Office	14,031
20.	For salaries and expenses of the establishment under the Public Works Loan Commissioners	9,749

SCHED. (B.) PART 7. Civil Services. Class II.

No.		Sums not exceeding £
21.	For salaries and expenses of the Public Record Office in England	21,532
22.	For salaries and expenses of the department of the Registrar General of Births, &c. in England	164,530
23.	For stationery, printing, and paper, binding, and printed books, for the public departments and for the two Houses of Parliament; for the salaries and expenses of the Stationery Office, and the cost of Stationery Office publications, and of the Gazettes; and for sundry miscellaneous services, including the purchase of Parliamentary Debates	549,005
24.	For salaries and expenses of the office of Her Majesty's Woods, Forests, and Land Revenues, and of the office of Land Revenue Records and Inrolments	23,624
25.	For salaries and expenses of the office of the Commissioners of Her Majesty's Works and Public Buildings	51,174
26.	For Her Majesty's foreign and other secret services	35,000
27.	For the salaries and expenses of the office of Her Majesty's Secretary for Scotland and subordinate offices	11,706
28.	For salaries and expenses of the Fishery Board in Scotland, and for grants in aid of piers or quays	22,469
29.	For salaries and expenses of the Board of Lunacy in Scotland	5,434
30.	For salaries and expenses of the department of the Registrar General of Births, &c. in Scotland	34,222
31.	For salaries and expenses of the Board of Supervision for Relief of the Poor in Scotland, and for expenses under the Public Health Acts, Vaccination Act, and Local Government (Scotland) Act	9,846
32.	For salaries and expenses of the household of the Lord Lieutenant of Ireland	4,764
33.	For salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London, and subordinate departments (including a supplementary sum of 322*l.*)	40,793
34.	For salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland	2,196
35.	For salaries and expenses of the Local Government Board in Ireland, including certain grants in aid of local taxation	133,912
36.	For salaries and expenses of the Public Record Office in Ireland and of the Keeper of the State Papers in Dublin	5,859
37.	For salaries and expenses of the Office of Public Works in Ireland	34,594
38.	For salaries and expenses of the department of the Registrar General of Births, &c., and for expenses of collecting agricultural and other statistics in Ireland	32,433
39.	For salaries and expenses of the general valuation and boundary survey of Ireland	24,309
	TOTAL CIVIL SERVICES, CLASS II. £	2,297,483

SCHEDULE (B.)—PART 8.

CIVIL SERVICES.—CLASS III.

SCHED. (B.) PART 8. Civil Services. Class III.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:—

No.		Sums not exceeding £
1.	For the salaries of the law officers, the salaries and expenses of the department of the Solicitor for the affairs of Her Majesty's Treasury, Queen's Proctor, and Director of Public Prosecutions, the costs of prosecutions, and of other legal proceedings and of Parliamentary Agency	66,283
2.	For certain miscellaneous legal expenses	55,553
3.	For such of the salaries and expenses of the Supreme Court of Judicature as are not charged on the Consolidated Fund	386,681
4.	For the salaries and expenses of the land registry	3,568
5.	For salaries and expenses connected with the County Courts	431,100
6.	For salaries and expenses of the police courts of London and Sheerness	19,047
7.	For the salaries of the Commissioner, and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, the pay and expenses of officers of Metropolitan Police employed on special duties, and the salaries and expenses of the Inspectors of Constabulary	55,586
8.	For the expenses of the prisons in England, Wales, and the Colonies	638,490
9.	For the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools in Great Britain, and for the salaries and expenses of the Inspectors of Reformatories	295,894
10.	For the maintenance of criminal lunatics in Broadmoor Criminal Lunatic Asylum	33,866
11.	For salaries and expenses of the Lord Advocate's department and other law charges, and the salaries and expenses of the Courts of Law and Justice in Scotland	122,133
12.	For salaries and expenses of the offices in Her Majesty's General Register House, Edinburgh	37,354
13.	For the expenses of the Establishment of the Crofters' Commission	9,070
14.	For the expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics and the preparation of judicial statistics	92,700
15.	For the expenses of criminal prosecutions and other law charges in Ireland	77,621
16.	For such of the salaries and expenses of the Supreme Court of Judicature and of certain other legal departments in Ireland as are not charged on the Consolidated Fund	117,132
17.	For the salaries and expenses of the office of the Irish Land Commission including the expenses of the Congested Districts Board	98,182
18.	For the salaries, allowances, expenses, and pensions of various county court officers, divisional commissioners, and of magistrates in Ireland, and the expenses of revision	119,686
19.	For salaries and expenses of the Commissioner of Police, of the police courts and of the metropolitan police establishment of Dublin	98,084

SCHED. (B.) PART 8. Civil Services. Class III.

No.		Sums not exceeding
		£
20.	For the expenses of the Royal Irish Constabulary - -	1,382,700
21.	For the expenses of the General Prisons Board in Ireland, and of the prisons under their control; and of the registration of habitual criminals - - - -	133,121
22.	For the expenses of reformatory and industrial schools in Ireland - - - - - - - -	113,010
23.	For the maintenance of criminal lunatics in Dundrum Criminal Lunatic Asylum, Ireland - - - -	7,016
	TOTAL CIVIL SERVICES, CLASS III. - £	4,393,877

SCHEDULE (B.)—PART 9.

CIVIL SERVICES.—CLASS IV.

SCHED. (B.) PART 9. Civil Services. Class IV.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:—

No.		Sums not exceeding
		£
1.	For public education in England and Wales, including the expenses of the Education Office in London (including a supplementary sum of 806,225*l.*) - - - -	4,725,357
2.	For salaries and expenses of the Department of Science and Art, and of the establishments connected therewith -	530,986
3.	For salaries and expenses of the British Museum, including the amount required for the Natural History Museum -	155,000
4.	For salaries and expenses of the National Gallery - -	14,387
5.	For salaries and expenses of the National Portrait Gallery -	2,219
6.	For sundry grants in aid of scientific investigation in the United Kingdom - - - - - - -	25,796
7.	In aid of the expenses of certain Universities and Colleges in Great Britain - - - - - -	71,000
8.	For salaries and expenses of the University of London -	15,305
9.	For public education in Scotland - - - -	637,067
10.	For a grant to the Board of Trustees for manufactures in Scotland, in aid of the maintenance of the National Gallery, School of Art and Museum of Antiquities, Scotland, and for the exhibition of the Torrie Collection of Works of Art, and for other purposes (including a supplementary sum of 450*l.*) - - - - -	3,750
11.	For public education under the Commissioners of National Education in Ireland - - - - -	866,539
12.	For the salaries and expenses of the Office of the Commissioners of Education in Ireland appointed for the regulation of endowed schools - - - - -	730
13.	For salaries and expenses of the National Gallery of Ireland, and for the purchase of pictures - - - -	2,501
14.	In aid of the expenses of the Queen's Colleges in Ireland -	5,028
	TOTAL CIVIL SERVICES, CLASS IV. - £	7,055,665

SCHEDULE (B.)—PART 10.

CIVIL SERVICES.—CLASS V.

SCHED. (B.) PART 10. Civil Services. Class V.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:—

No.		Sums not exceeding £
1.	For expenses of Her Majesty's embassies and missions abroad, and of consular establishments abroad, and other expenditure chargeable on the Consular Vote (including a supplementary sum of 5,040*l.*) - - - - -	412,897
2.	For the expenses of various services (other than Consular) in connection with the suppression of the slave trade, and the expenses of the Liberated African Department -	6,480
3.	For sundry colonial services, including expenses incurred under the Pacific Islanders Protection Act, 1875, and certain charges connected with South Africa - -	169,616
4.	In aid of the revenue of the island of Cyprus - -	10,000
5.	For the subsidies to Telegraph Companies and for the salary of the Official Director - - - - -	57,400
	TOTAL CIVIL SERVICES, CLASS V. - £	656,393

SCHEDULE (B.)—PART 11.

CIVIL SERVICES.—CLASS VI.

SCHED. (B.) PART 11. Civil Services. Class VI.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:—

No.		Sums not exceeding £
1.	For superannuation, retired, and compassionate allowances and gratuities under sundry Statutes to persons formerly employed in the public service, and for certain compassionate allowances and gratuities awarded by the Commissioners of Her Majesty's Treasury - -	490,116
2.	For pensions to masters and seamen of the merchant service, and to their widows and children - - -	12,600
3.	For making good the deficiency arising from payments for interest to Friendly Societies - - - -	9,647
4.	For miscellaneous, charitable, and other allowances in Great Britain - - - - - - - -	2,100
5.	In aid of the local cost of maintenance of pauper lunatics in Ireland - - - - - - - -	113,114
6.	For hospitals and infirmaries and certain miscellaneous, charitable, and other allowances in Ireland - -	18,447
	TOTAL CIVIL SERVICES, CLASS VI. - £	646,024

SCHEDULE (B.)—PART 12.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:— SCHED. (B.) PART 12. Civil Services. Class VII.

No.		Sums not exceeding
		£
1.	For salaries and other expenses of temporary commissions and committees, including special inquiries	26,809
2.	For certain miscellaneous expenses	3,103
3.	In aid of the expenditure of the Board of Agriculture under the Contagious Diseases Animals (Pleuro-Pneumonia) Act, 1890	160,000
4.	For repayment to the Civil Contingencies Fund of certain miscellaneous advances	481
5.	For expenditure upon certain public works and for improved communications within the Highlands and Islands of Scotland	47,000
6.	For certain expenditure in connexion with the relief of distress in Ireland	160,000
	TOTAL CIVIL SERVICES, CLASS VII. £	397,393

SCHEDULE (B.)—PART 13.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted to defray the charges of the several REVENUE DEPARTMENTS, &c. herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1892; viz.:— SCHED. (B.) PART 13. Revenue Departments, &c.

No.		Sums not exceeding
		£
1.	For salaries and expenses of the Customs Department	909,806
2.	For salaries and expenses of the Inland Revenue Department	1,784,024
3.	For salaries and expenses of the Post Office services, the expenses of Post Office savings banks, and Government annuities and insurances, and the collection of the Post Office revenue (including a supplementary sum of 131,250*l.*)	6,054,932
4.	For the Post Office packet service	708,055
5.	For salaries and expenses of the Post Office telegraph service (including a supplementary sum of 43,750*l.*)	2,466,080
	TOTAL REVENUE DEPARTMENTS £	11,922,897

CHAPTER 56.

An Act to make further provision for assisting Education in Public Elementary Schools in England and Wales.

[5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Fee grant and conditions thereof.

1.—(1.) After the commencement of this Act, there shall be paid, out of moneys provided by Parliament, and at such times and in such manner as may be determined by regulations of the Education Department, a grant (in this Act called a fee grant) in aid of the cost of elementary education in England and Wales at the rate of ten shillings a year for each child of the number of children over three and under fifteen years of age in average attendance at any public elementary school in England and Wales (not being an evening school) the managers of which are willing to receive the same, and in which the Education Department are satisfied that the regulations as to fees are in accordance with the conditions in this Act.

(2.) If in any case there is a failure to comply with any of the conditions in this Act, and the Education Department are satisfied that there was a reasonable excuse for the failure, the Department may pay the fee grant, but in that case shall, if the amount received from fees has exceeded the amount allowed by this Act, make a deduction from the fee grant equal to that excess.

(3.) For the purposes of section nineteen of the Elementary Education Act, 1876, the fee grant paid or payable to a school shall be reckoned as school pence to be met by the grant payable by the Education Department.

Limit of fees in schools receiving fee grant.

2.—(1.) In any school receiving the fee grant—

(*a.*) Where the average rate of fees received during the school year ended last before the first day of January one thousand eight hundred and ninety-one was not in excess of ten shillings a year for each child of the number of children in average attendance at the school ; or

(*b.*) For which an annual parliamentary grant has not fallen due before the said first day of January ;

no fee shall, except as by this Act provided, be charged for children over three and under fifteen years of age.

(2.) In any school receiving the fee grant where the said average rate was so in excess, the fees to be charged for children over three and under fifteen years of age shall not, except as by this Act provided, be such as to make the average rate of fees for all such children exceed for any school year the amount of the said excess.

Prohibition of charges in certain schools receiving fee grant.

3. In any school receiving the fee grant, where the average rate charged and received in respect of fees and books, and for other purposes, during the school year ended last before the first day of January one thousand eight hundred and ninety-one, was not in excess of ten shillings a year for each child of the number of

children in average attendance at the school, no charge of any kind shall be made for any child over three and under fifteen years of age.

Power to modify limit of fees in certain cases.

4.—(1.) Notwithstanding anything herein-before contained, the Education Department, if they are satisfied that sufficient public school accommodation, without payment of fees, has been provided for a school district, and that the charge of school fees or the increase of school fees for children over three and under fifteen years of age in any particular school receiving the fee grant is required owing to a change of population in the district, or will be for the educational benefit of the district, or any part of the district, may from time to time approve such charge or increase of fees in that school, provided that the ordinary fee for such children shall not exceed sixpence a week.

(2.) The Education Department shall report annually to Parliament all cases in which they have sanctioned or refused the imposition or augmentation of fees under this section, with a statement of the amount of fee permitted.

(3.) The Education Department may, if they think fit, make it an express condition of such approval that the amount received for any school year from the fees so charged or increased, or a specified portion of that amount, shall be taken in reduction of the fee grant which would otherwise have been payable for that school year, and in that case the fee grant shall be reduced accordingly.

Provision for free school accommodation.

5. If at any time after the expiration of one year from the commencement of this Act it is represented to the Education Department that there is in any school district, or any part of a school district, an insufficient amount of public school accommodation without payment of fees for children over three and under fifteen years of age, for whom such accommodation is desired, and the Education Department are satisfied after inquiry that such is the case, the Department shall direct the deficiency to be supplied in the manner provided by sections nine and ten of the Elementary Education Act, 1870, and every other section enabling them in that behalf, with respect to the supply of public school accommodation; and the expression "public school accommodation" in that Act shall include public school accommodation without payment of fees.

Provided that whenever and so long as any deficiency in such last-mentioned public school accommodation in any district is in course of being supplied with due despatch, no requisition or order shall be issued in that behalf by the Education Department.

Power to contribute from fee grant to common school fund.

6. The managers of two or more public elementary schools in the same or neighbouring school districts, not being schools provided by a school board, may pay the fee grant, or part thereof, received by each school into a common fund for distribution, as may be arranged by them, between or among such schools.

Provided that the fee grant received by each school in the first instance shall alone count as income of such school for the purposes of this Act and of section nineteen of the Elementary Education Act, 1876, and a contribution to a school from any such common fund shall not be reckoned as income of such school from other sources within the said section nineteen.

Grouping of schools.

7. Where the managers of two or more public elementary schools in the same or neighbouring school districts agree to associate and elect a committee for the schools, any surplus income on the accounts for the school year of any of the associated schools may be paid into a common fund, out of which contributions may be made to any of the other associated schools; but the contributions received by any such school shall not be counted as income from other sources for the purpose of section nineteen of the Elementary Education Act, 1876, so that no addition to the public charge may result from this section taken in conjunction with the said section nineteen. Provided that no board school shall under this section be associated with any public elementary school other than a board school.

Explanation of 33 & 34 Vict. c. 75. s. 17.

8. Nothing in section seventeen of the Elementary Education Act, 1870, shall prevent a school board from admitting scholars to any school provided by the board without requiring any fee.

Provision for equality of treatment.

9. Nothing in this Act shall give any preference or advantage to any school on the ground that it is or is not provided by a school board.

Meaning of "school year" and "average attendance."

10. In this Act the expression "school year" shall mean a year or other period for which an annual parliamentary grant is for the time being paid or payable under the minutes of the Education Department; and the expression "average attendance" shall, for the purposes of the fee grant, mean average attendance calculated in accordance with the minutes in force at the commencement of this Act.

Repeal.

11. The Acts mentioned in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

Commencement of Act.

12. This Act shall come into operation on the first day of September one thousand eight hundred and ninety-one.

Short title and construction.

13.—(1.) This Act may be cited as the Elementary Education Act, 1891, and shall be construed as one with the Elementary Education Acts, 1870 to 1890.

(2.) The Elementary Education Acts, 1870 to 1890, and this Act, may be cited collectively as the Elementary Education Acts, 1870 to 1891.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
33 & 34 Vict. c. 75. -	The Elementary Education Act, 1870.	Section twenty-six.
39 & 40 Vict. c. 79. -	The Elementary Education Act, 1876.	Section eighteen.

CHAPTER 57.

An Act to provide for the Redemption of Rent by long Leaseholders and others. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Redemption of rent by long leaseholders when occupying tenants. 44 & 45 Vict. c. 49. 50 & 51 Vict. c. 33.

1. Where a person in bonâ fide occupation of a holding to which Part One of the Land Law (Ireland) Act, 1881, applies is a lessee under a lease to which the provisions of section one or section three of the Land Law (Ireland) Act, 1887, do not apply by reason of the period of its expiration or by reason of its being renewable or perpetual, or is a grantee under a fee farm grant, and such person holds his land at a rent which the Land Commission considers, having regard to the renewal fines (if any) and all the circumstances of the case, holding, and district, to be a full agricultural rent, such occupier shall, subject as herein-after mentioned, be entitled to apply in the prescribed manner to redeem his rent, whereupon, if the lessor or grantor, as the case may be, signifies his consent within the prescribed time and in the prescribed manner, including consent (where such consent is by law required) to such sum being retained as guarantee deposit as the Land Commission may think necessary, then such redemption shall be effected by payment, subject to the rules of the Land Commission, of such capital sum as may be agreed upon, or as in case of difference may be determined by the Land Commission (regard being had to the adequacy of the security) in like manner as if it were a head rent redeemed under the provisions of section sixteen of the Land Law (Ireland) Act, 1887.

Such consent by the lessor or grantor shall have the same effect as the lodgment of an agreement to purchase under the Land Purchase Acts, and, except as herein otherwise provided, all subsequent proceedings shall be carried on, and with the like consequences, as upon such an agreement.

Provided that if the lessor or grantor, as the case may be, does not consent in manner prescribed by the Land Commission to such redemption, or causes, in the opinion of the Land Commission, unreasonable delay to the making of such redemption, the redemption shall not be made, but the lessee or grantee, as the case may be, shall be deemed to have made the prescribed application under section one of the said Act of 1887, and shall be held to be a tenant of a present tenancy in manner and subject to the conditions and right of resumption mentioned in section twenty-one of the said Act of 1881, as modified by section one of the said Act of 1887, and his holding shall be subject to the provisions of the said Acts with regard to present tenancies.

Apportionment and redemption of annuities and charges.

2.—(1.) The Land Commission may carry into effect a redemption under this Act as if it were a redemption of a head rent under section sixteen of the Land Law (Ireland) Act, 1887, with the necessary modifications, and may make an advance under the Land

Purchase Acts for such redemption money or any part thereof in like manner as if that money were the purchase money of a holding purchased by a tenant, and the provisions of the said Acts with respect to the advance and the repayment thereof shall apply with the necessary modifications.

(2.) When the Land Commission exercise the powers conferred on them by this Act then any rentcharge, rent, or other liabilities chargeable on or affecting the interest of the lessor or grantor, as the case may be, in such holding shall cease to be a charge upon the land and shall be transferred to the redemption money, and the powers conferred upon the Land Commission by section ten of the Purchase of Land (Ireland) Act, 1885, and by sections fourteen, fifteen, and sixteen of the Land Law (Ireland) Act, 1887, shall be exerciseable by them with respect to such redemption.

Definitions and construction.

3. In this Act the expression "Land Purchase Acts" means the Land Law (Ireland) Act, 1881, Part V., the Purchase of Land (Ireland) Act, 1885, and the Purchase of Land (Ireland) Amendment Act, 1888, and any Act amending the same; the word "prescribed" means prescribed by rules made in pursuance of this Act; and the words "grantor," "lessor," "grantee," and "lessee" include the successors in title of such persons respectively; and this Act shall be read and construed with the Land Law (Ireland) Acts, 1881 and 1887, and the Land Purchase Acts.

Short title.

4. This Act may be cited as the Redemption of Rent (Ireland) Act, 1891.

CHAPTER 58.

An Act to make provisions in regard to the Construction and Maintenance of certain Works of public and local utility in the Western Highlands and Islands of Scotland. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision as to road between Carloway and Stornoway, &c.

1.—(1.) Out of moneys voted by Parliament a sum not exceeding fifteen thousand pounds shall be paid by the Secretary for Scotland to the county council of the county of Ross and Cromarty to defray the cost of constructing and improving the road between Carloway and Stornoway and certain other roads approved by the Secretary for Scotland in the Island of Lewis and county of Ross and Cromarty.

(2.) Payments out of the said sum shall be made from time to time on the certificate of an engineer appointed by the Secretary for Scotland, certifying that expenditure to the amount of any such payment has been made towards the construction and improvement

of the said roads on plans and specifications approved by and in a manner satisfactory to the said engineer.

(3.) After the said sum has been expended as herein-before provided the said roads shall in all time coming be deemed to be and be maintained by the said county council as highways within the meaning and subject to the provisions of the Roads and Bridges (Scotland) Act, 1878. 41 & 42 Vict. c. 51.

Provision as to piers, boat slips, &c.

2.—(1.) Out of moneys voted by Parliament sums may from time to time be distributed by the Secretary for Scotland among the county councils of the counties of Argyll, Inverness, Ross and Cromarty, Sutherland, Caithness, Orkney, and Zetland for the purpose of aiding in the construction and improvement of small harbours, piers, and boat slips within those counties respectively on the conditions, and subject to the provisions herein-after contained.

(2.) An application for a grant under this section may be made to the Secretary for Scotland by any of the county councils aforesaid, if so authorised at a meeting of the council called with special notice that it will be proposed to make such an application, and of the site of the small harbour, pier, or boat slip to which it relates, and of the estimated cost of constructing or improving and maintaining the works thereof.

(3.) Before the county council resolve to proceed with the application, they shall ascertain (*a*) the amount of local subscriptions (if any) towards the execution of the works for which sufficient legal obligations have been obtained; (*b*) the amount of free labour or labour at a reduced wage promised by the inhabitants; and (*c*) whether a free gift will be made of the site by the proprietor thereof. And it shall be lawful for any proprietor holding under a deed of entail or other limited title to make such free gift.

(4.) If the Secretary for Scotland, after such inquiry as he shall think necessary, resolves to entertain the application, he shall require the county council to procure from the persons locally interested and at the expense of such persons (*a*) plans and sections, with relative specifications, of the proposed works, and (*b*) an estimate of the cost, and shall cause the plans and sections, with relative specifications, and estimate of cost to be submitted to the Board of Trade, and unless the Board of Trade, with or without modifications, approve thereof, no grant shall be made. The Board of Trade, if they approve of any works as aforesaid, shall set forth in schedules annexed to their determination—

(*a*) a description of the works which they recommend should be authorised;

(*b*) a table of rates not exceeding the rates specified in the schedule annexed to the Burgh Harbours (Scotland) Act, 1853, which they recommend should be leviable in respect of the use of the works and conveniences connected therewith; and 16 & 17 Vict. c. 93.

(*c*) a definition subject to the provisions of this section of this Act of the area within which the said rates may be levied.

Provided that before issuing any such determination the Board of Trade may require such public notice, as they shall deem necessary,

to be given by the county council of the works proposed to be authorised and of the rates proposed to be leviable thereat, and may hear any objections thereto within such time as they shall fix.

(5.) If with or without modifications the Board of Trade approve of the plans and sections, the Secretary for Scotland may intimate to the county council that a grant will be made of such amount and on such conditions as shall have been approved by the Treasury.

(6.) After receiving intimation of the amount of a grant as herein-before provided, the county council shall again meet with special notice of the business to be transacted, and shall determine finally whether they are to proceed with the execution of the proposed works; and if they so determine, they shall forthwith transmit to the Secretary for Scotland an extract from their minutes setting forth such determination, and such extract shall be signed by the county clerk, and sealed with the common seal of the county council. Thereupon the county council shall be deemed to be within the meaning, and subject to the provisions of the Harbours, Docks, and Piers Clauses Act, 1847, (which Act is herewith incorporated except in so far as hereinafter provided), the undertakers for the works described in the schedule to the determination of the Board of Trade, and which shall thereafter be deemed to be the authorised works, and this section of this Act shall be deemed to be the "special Act."

10 & 11 Vict. c. 27.

(7.) The provisions of the Lands Clauses Acts in regard to the taking of land by agreement are hereby incorporated with this Act, and if the proprietor of the site of the authorised works shall not make a free grant thereof as herein-before provided, a valid title to such site shall be obtained, and in every case the title to the site shall be recorded in the appropriate division of the General Register of Sasines for Scotland before the commencement of the authorised works.

(8.) The limits within which the county council as undertakers shall have authority, and which shall be deemed the limits to which the power to levy rates extends, shall comprise the authorised works with the roads, accesses, and conveniences connected therewith, and the whole area below the line of high water mark of ordinary spring tides within such a distance from any part of the authorised works as may be prescribed by the Board of Trade, which limits (and all additions to and improvements on the said works from time to time made by the county council as undertakers aforesaid) are to be deemed the limits of this section of this Act.

(9.) Subject to the provisions of this section of this Act, and subject also to such alterations, if any, in the deposited plans and sections as the Board of Trade may require from time to time before the completion of the works in order to prevent injury to navigation, the county council as undertakers aforesaid, may, in the lines and situation and according to the levels shown on the deposited plans and sections, so far as the same are shown thereon, and within the limits of deviation shown on the plans, make and maintain the

authorised works and accesses thereto. They may also, with the approval in writing of the Board of Trade, deviate vertically from the levels of the said works as shown on the deposited sections to any extent not exceeding ten feet.

(10.) The county council, as undertakers aforesaid, may dredge, scour, deepen, widen, enlarge, improve and maintain the entrances and channels of the said works; provided that works below high water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing.

(11.) Every person who wilfully obstructs any person acting under the authority of the county council as undertakers aforesaid in setting out the lines of the works authorised as aforesaid, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall for every such offence be liable to a penalty not exceeding five pounds recoverable summarily before the sheriff.

(12.) The county council as undertakers aforesaid may also construct and maintain or take on lease all warehouses, offices, sheds, weighing-machines, cranes, and other public buildings and conveniences which may be found necessary in connexion with the authorised works for the accommodation of vessels thereat, and of traffic landed at or embarked at the same, and may demand and receive such rates or other consideration as they think reasonable for the use thereof, in so far as such rates or other consideration are not specially fixed in the schedule annexed to the determination of the Board of Trade.

(13.) When a certificate has been obtained from the Board of Trade (who shall have power to vary as they shall think fit with reference to the authorised works the provisions of section twenty-five of the Harbours, Docks, and Piers Clauses Act, 1847,) that all consents and approvals on the part of the Board of Trade necessary to the due construction of the works authorised as aforesaid have been given, the county council as undertakers aforesaid may, subject and according to the provisions of this section of this Act, for the use of the said works demand and receive in respect of vessels or boats, passengers, animals, goods, matters, and things described in the schedule annexed to the determination of the Board of Trade any sum not exceeding the several rates specified in that schedule.

(14.) If at any time and from time to time the clear annual income derived from the authorised works, on the average of the then three last preceding years, ending the fifteenth day of May, after payment of all expenses and outgoings, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the county council as undertakers aforesaid in executing the authorised works, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this section of this Act to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced

accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the schedule annexed to the determination of the Board of Trade as aforesaid.

(15.) The county council as undertakers aforesaid, within one month after sending to the sheriff clerk the copy of their annual accounts in abstract, shall send a copy of the same to the Board of Trade. If the county council as undertakers aforesaid refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds; and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account.

25 & 26 Vict. c. 19.

(16.) Fishing vessels belonging to countries with which for the time being treaties exist, exempting from dues and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the authorised works, and not breaking bulk while making use thereof, be exempt from rates leviable under this section of this Act.

(17.) Any person authorised by the Secretary for Scotland, and all officers of Customs, of the coastguard, of the Board of Trade, and of the Fishery Board for Scotland, being in the execution of their duty, and also all persons going to or returning from any lifeboat, or using or exercising any lifeboat or apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress to and passage and egress on, along, through, and out of the authorised works by land, and with their vessels and otherwise, without payment.

(18.) The county council as undertakers aforesaid may from time to time lease the rates authorised by this section of this Act for any period not exceeding ten years, on such terms and conditions as they think fit; and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and receiving rates as the county council as undertakers aforesaid have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this section of this Act, and shall be subject to all the same provisions as to accounts and otherwise to which the county council as undertakers aforesaid are made subject by this section of this Act.

(19.) The county council as undertakers aforesaid may make byelaws for the regulation and control of vessels and boats within the limits of this section of this Act, and for the regulation and control of the fishermen and others, and goods and traffic on the authorised works and approaches thereto, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

(20.) The rates received under this section of this Act shall be applicable for the purposes and in the order following, and not otherwise:

(*a.*) In paying the costs of and in connexion with the bringing into operation of the provisions of this section of this Act;

(*b.*) In paying the expenses of the maintenance, repair, improvement, management and regulation of the works authorised under this section of this Act;

(*c.*) The surplus revenue (if any) of the authorised works, after providing for the purposes aforesaid, shall be paid to the credit of the general purposes rate of the county council.

(21.) Sections six to nineteen inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this section of this Act.

(22.) No vessel or boat, except steamboats or pleasure boats embarking or disembarking passengers and their luggage, shall be moored alongside the authorised works without the consent of the county council as undertakers aforesaid or of their officers.

(23.) The county council, as undertakers aforesaid, shall have power to appoint and pay pier masters, collectors of rates and dues, meters and weighers, and other necessary officers within the limits of this section of this Act.

(24.) Before commencing the authorised works the county council, as undertakers aforesaid, shall apply to the Board of Trade for directions as to the lights to be exhibited during the construction of the works, and shall exhibit thereon such light or lights as shall from time to time be directed by the Board of Trade, and after the completion or permanent discontinuance or abandonment of the authorised works, or in case of injury to or destruction or decay of the works or any part thereof, the county council, as undertakers aforesaid, shall exhibit thereon such light or lights, and shall lay down such buoys and take such other means for preventing, as far as may be, danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to such lights, buoys, and other means; and if the county council, as undertakers aforesaid, shall omit so to apply to the Board of Trade or Commissioners of Northern Lighthouses, as the case may be, or shall refuse or neglect to obey any direction as aforesaid, they shall for each offence be liable to a penalty not exceeding ten pounds, which may be recovered summarily before the sheriff, for every calendar month during which they omit so to apply or refuse or neglect to obey any direction as aforesaid.

(25.) If in any year ending the fifteenth day of May the rates received by the county council, as undertakers aforesaid, shall be insufficient to defray the expenses of the maintenance, repair, management, and regulation of the authorised works, it shall be lawful for and incumbent on the county council, in order to meet such deficiency, to impose and levy, as part of the general purposes rate under the Local Government (Scotland) Act, 1889, an assessment not exceeding one penny in the pound upon all lands and heritages within the county, and the amount leviable by the full

rate of one penny in the pound shall be the limit of the power and duty of the county council to meet any deficiency occurring as aforesaid. Provided that no part of the said assessment shall fall upon lands and heritages subject, during the same year, to an assessment levied for harbour purposes under any statute other than this Act.

(26.) If from any cause the local subscriptions herein-before mentioned (if any) received by the county council, together with the grant out of moneys voted by Parliament as herein-before provided, shall be insufficient to defray the cost of constructing the authorised works, the county council shall be bound to pay and provide for such deficiency, and for that purpose may borrow on the security of the general purposes rate aforesaid, which shall be chargeable with the principal and interest of the loan, the amount of such deficiency, in the manner and subject to the provisions of section sixty-seven of the Local Government (Scotland) Act, 1889.

52 & 53 Vict. c. 50.

(27.) This section of this Act shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works hereunder be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the consent of the Board of Trade having been first obtained.

29 & 30 Vict. c. 62.

Inspection of authorised works.

3. Any person appointed by the Secretary for Scotland shall from time to time either during or after the construction of the authorised works be entitled to inspect the same in order to his reporting thereon to the Secretary for Scotland.

Amendment of 52 & 53 Vict. c. 50. s. 22.

4. Sub-section (1) of section twenty-two of the Local Government (Scotland) Act, 1889, is hereby amended to the effect of authorising county councils in receipt of the annual grant of ten thousand pounds to apply the proportion effeiring to them respectively or any portion thereof to the purposes of section two, sub-sections (25) and (26) of this Act, or in relief of local taxation for the purposes of the Local Government (Scotland) Act, 1889, in such counties.

Short title.

5. This Act may be cited for all purposes as the Western Highlands and Islands (Scotland) Works Act, 1891.

Application of Act.

6. This Act shall not apply in any case where the estimated cost of the proposed works exceeds the sum of two thousand pounds, unless the Secretary for Scotland, in communication with the Board of Trade, shall determine that on account of the exceptional circumstances of the case the provisions of the Act shall be applicable.

CHAPTER 59.

An Act to grant Money for the purpose of certain Local Loans, and for other purposes relating to Local Loans.

[5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grants for public works.

1.—(1.) For the purpose of local loans there may be issued by the National Debt Commissioners the following sums:—

(*a.*) For the purpose of loans by the Public Works Loan Commissioners any sum or sums not exceeding in the whole the sum of one million two hundred thousand pounds;

(*b.*) For the purpose of loans by the Commissioners of Public Works in Ireland any sum or sums not exceeding in the whole the sum of one million pounds.

(2.) The sums so issued shall be issued during a period ending on the day on which a further Act granting moneys for the purposes of those loans comes into operation and in accordance with the provisions of the National Debt and Local Loans Act, 1887. 50 & 51 Vict. c. 16.

Remission of loans in respect of Ulster Canal.

2. Whereas there is due in respect of a loan made by the Exchequer Bill Loan Commissioners to the Ulster Canal Company in pursuance of requirements contained in the Act (local and personal) of the session held in the tenth year of King George the Fourth, chapter one hundred and nine, the sum of one hundred and twenty thousand pounds, and in respect of a loan made by the Commissioners of Public Works in Ireland to the Ulster Canal Company the sum of ten thousand pounds:

And whereas the said canal and undertaking were by an Act of the session of the twenty-eighth and twenty-ninth years of the reign of Her present Majesty, chapter one hundred and nine, intituled "An Act for transferring the Ulster Canal to the "Commissioners of Public Works in Ireland," vested in the said Commissioners, freed and discharged from all charges and incumbrances made by the Ulster Canal Company:

And whereas in pursuance of the Ulster Canal and Tyrone Navigation Act, 1888, the said canal and undertaking were handed over to the Lagan Navigation Company: 51 & 52 Vict. c. cxxxvii.

And whereas the said sums of one hundred and twenty thousand pounds and ten thousand pounds were under the Public Works Loans Act, 1887, written off from the account of the assets of the local loans fund; and it is expedient that the debt in respect of both the said loans be extinguished; therefore 50 & 51 Vict. c. 37.

The said debt shall be extinguished and the amount thereof shall be deemed to be a free grant by Parliament.

Power to make further advances for Arklow Harbour. 45 & 46 Vict. c. 13.

3. Whereas the Commissioners of Public Works in Ireland (in this section called the Board) have in pursuance of the Arklow Harbour Act, 1882, expended on the works of Arklow Harbour the sum of thirty thousand pounds, and those works have in

pursuance of section eight of that Act been transferred to and vested in the Arklow Harbour Commissioners for the purposes of the said Act:

And whereas the said works are incomplete, and it is expedient that the Board be authorised for the purpose of completing the same to advance by way of grant out of moneys provided by Parliament a sum not exceeding three thousand five hundred pounds, and by way of loan on the security provided by the said Act, out of moneys at their disposal for the purpose of loans, a further sum not exceeding three thousand five hundred pounds:

And whereas the Town Commissioners of the town of Arklow have by a special resolution passed at a meeting convened in accordance with the provisions of the said Act declared their opinion that it is expedient to charge the rates of the town of Arklow with the repayment of a loan of the said amount:

And whereas doubts have arisen whether, after such transfer as aforesaid, the Board have power under the said Act to make the said advances, and whether the Arklow Harbour Commissioners have power to complete the said works, and as to the validity of the said resolution, and it is expedient to remove such doubts: Be it therefore enacted as follows:

(1.) The Board may, notwithstanding the said transfer, make the said advances by way of grant and by way of loan respectively, and the Treasury shall have and may exercise all the powers of the said Act in respect of the said loan as if the said transfer had not been made.

(2.) The said resolution of the Town Commissioners shall be deemed to have been duly passed in accordance with the provisions of the said Act.

(3.) The Arklow Harbour Commissioners shall, for the purpose of completing the said works, have the same powers as the Board had for the completion of the same before the said transfer.

Short title.

4. This Act may be cited as the Public Works Loans Act, 1891.

CHAPTER 60.

An Act to continue various Expiring Laws.

[5th August 1891.]

WHEREAS the several Acts mentioned in column one of Part I. of the First Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire either on the thirty-first day of December one thousand eight hundred and ninety-one, or the first day of January one thousand eight hundred and ninety-two:

And whereas the Act mentioned in column one of Part II. of the First Schedule to this Act is limited to expire at the end of the present session of Parliament:

And whereas the Acts mentioned in column one of the Second Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of March one thousand eight hundred and ninety-two:

And whereas the Acts mentioned in column one of the Third, Fourth, and Fifth Schedules to this Act are, so far as relates to the provisions mentioned in column two of those schedules, limited to expire either on the thirty-first day of December one thousand eight hundred and ninety-one or on the fourth day of February one thousand eight hundred and ninety-two:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Expiring Laws Continuance Act, 1891.

Continuance of Acts in schedule.

2.—(1.) The Acts mentioned in column one of Parts I. and II. of the First Schedule to this Act shall, to the extent specified in column two of that schedule, be continued until the thirty-first day of December one thousand eight hundred and ninety-two.

(2.) The Acts mentioned in column one of the Second Schedule to this Act shall, to the extent specified in column two of that schedule, be continued until the thirty-first day of March one thousand eight hundred and ninety-three.

(3.) The Act mentioned in column one of the Third Schedule to this Act shall, to the extent specified in column two of that schedule, be continued until the thirtieth day of June one thousand eight hundred and ninety-two.

(4.) The Act mentioned in column one of the Fourth Schedule to this Act shall, to the extent specified in column two of that schedule, be continued until the first day of August one thousand eight hundred and ninety-two.

(5.) The Act mentioned in column one of the Fifth Schedule to this Act shall, to the extent specified in column two of that schedule, be continued until the thirtieth day of September one thousand eight hundred and ninety-two.

(6.) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner.

(7.) Nothing in this Act shall revive any repealed enactment.

SCHEDULES.

FIRST SCHEDULE.

PART I.

1. Original Acts.	2. How far continued.	3. Amending Acts.
(1) 5 & 6 Will. 4. c. 27. Linen, Hempen, Cotton, and other Manufactures (Ireland).	The whole Act.	3 & 4 Vict. c. 91. 5 & 6 Vict. c. 68. 7 & 8 Vict. c. 47. 30 & 31 Vict. c. 60.
(2) 3 & 4 Vict. c. 89. Poor Rates, Stock in Trade Exemption.	The whole Act.	——
(3) 4 & 5 Vict. c. 30. Survey of Great Britain.	The whole Act.	33 Vict. c. 13. 47 & 48 Vict. c. 43.
(4) 4 & 5 Vict. c. 59. Application of Highway Rates to Turnpike Roads.	The whole Act.	——
(5) 10 & 11 Vict. c. 98. Ecclesiastical Jurisdiction.	As to provisions continued by 21 & 22 Vict. c. 50.	——
(6) 11 & 12 Vict. c. 32. County Cess (Ireland).	The whole Act.	20 & 21 Vict. c. 7.
(7) 14 & 15 Vict. c. 104. Episcopal and Capitular Estates Management.	The whole Act.	17 & 18 Vict. c. 116. 21 & 22 Vict. c. 94. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.
(8) 17 & 18 Vict. c. 102. Corrupt Practices Prevention.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.
(9) 23 & 24 Vict. c. 19. Dwellings for Labouring Classes (Ireland).	The whole Act.	——
(10) 24 & 25 Vict. c. 109. Salmon Fishery (England).	As to appointment of inspectors, s. 31.	49 & 50 Vict. c. 39. s. 3.
(11) 26 & 27 Vict. c. 105. Promissory Notes.	The whole Act.	45 & 46 Vict. c. 61.

1. Original Acts.	2. How far continued.	3. Amending Acts.
(12) 27 & 28 Vict. c. 20. Promissory Notes and Bills of Exchange (Ireland).	The whole Act.	—
(13) 28 & 29 Vict. c. 46. Militia Ballots Suspension.	The whole Act.	—
(14) 28 & 29 Vict. c. 83. Locomotives on Roads.	The whole Act.	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.)
(15) 29 & 30 Vict. c. 52. Prosecution Expenses.	The whole Act.	—
(16) 31 & 32 Vict. c. 125. Parliamentary Elections.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
(17) 32 & 33 Vict. c. 21. Election Commissioners Expenses.	The whole Act.	34 & 35 Vict. c. 61.
(18) 33 & 34 Vict. c. 112. Glebe Loans (Ireland).	The whole Act.	34 & 35 Vict. c. 100. 41 Vict. c. 6.
(19) 34 & 35 Vict. c. 87. Sunday Observance Prosecutions.	The whole Act.	—
(20) 35 & 36 Vict. c. 33. Parliamentary and Municipal Elections (Ballot).	The whole Act.	45 & 46 Vict. c. 50. (Municipal Elections.)
(21) 38 & 39 Vict. c. 84. Returning Officers Expenses.	The whole Act.	46 & 47 Vict. c. 51. s. 32. 48 & 49 Vict. c. 62. 49 & 50 Vict. c. 57.
(22) 39 & 40 Vict. c. 21. Juries (Ireland).	The whole Act.	—
(23) 41 & 42 Vict. c. 41. Returning Officers Expenses (Scotland).	The whole Act.	48 & 49 Vict. c. 62. 49 & 50 Vict. c. 58.
(24) 41 & 42 Vict. c. 72. Sale of Liquors on Sunday (Ireland).	The whole Act.	—

1. Original Acts.	2. How far continued.	3. Amending Acts.
(25) 43 Vict. c. 18. Parliamentary Elections.	The whole Act.	46 & 47 Vict. c. 51.
(26) 43 & 44 Vict. c. 42. Employers Liability.	The whole Act.	——
(27) 45 & 46 Vict. c. 59. Educational Endowments (Scotland).	As to the powers of Her Majesty in Council and of the Scotch Education Department.	——
(28) 46 & 47 Vict. c. 51. Corrupt and Illegal Practices Prevention.	The whole Act.	——
(29) 47 & 48 Vict. c. 70. Municipal Elections (Corrupt and Illegal Practices).	The whole Act.	——
(30) 49 & 50 Vict. c. 29. Crofters Holdings (Scotland).	As to powers of Commissioners for enlargement of Holding, s. 22.	50 & 51 Vict. c. 24.
(31) 49 & 50 Vict. c. 55. Shop Hours Regulation.	The whole Act.	——
(32) 50 & 51 Vict. c. 33. Land Law (Ireland).	So much of section one as relates to the time within which applications under the section may be made.	51 & 52 Vict. c. 13. 52 & 53 Vict. c. 59.
(33) 51 & 52 Vict. c. 41. Local Government (England and Wales).	As to power of making orders on application of County Council, s. 108 (3).	——
(34) 51 & 52 Vict. c. 55. Sand Grouse Protection.	The whole Act.	——

PART II.

1. Original Act.	2. How far continued.	3. Amending Act.
46 & 47 Vict. c. 60. Labourers (Ireland).	The whole Act.	48 & 49 Vict. c. 77.

SECOND SCHEDULE.

1. Original Acts.	2. How far continued.	3. Amending Acts.
32 & 33 Vict. c. 56. Endowed Schools (Schemes).	As to the powers of making schemes and as to the payment of the salaries of additional Charity Commissioners.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87.
48 & 49 Vict. c. 78. Educational Endowments (Ireland).	As to powers of making schemes.	——

THIRD SCHEDULE.

1. Original Acts.	2. How far continued.	3. Amending Acts.
51 & 52 Vict. c. 41. Local Government (England and Wales).	As to powers of Commissioners, s. 61 (10).	——

FOURTH SCHEDULE.

1. Original Act.	2. How far continued.	3. Amending Acts.
52 & 53 Vict. c. 50. Local Government (Scotland).	As to powers of Boundary Commissioners, s. 45 (4). As to power of making orders on application of County Council, s. 108 (2).	

FIFTH SCHEDULE.

1. Original Act.	2. How far continued.	3. Amending Acts.
46 & 47 Vict. c. 36. City of London Parochial Charities.	As to powers of Charity Commissioners.	

CHAPTER 61.

An Act to facilitate the transfer of Schools for Science and Art to Local Authorities. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Transfer of school for science and art or literary or scientific institution to local authority.
17 & 18 Vict. c. 112.
52 & 53 Vict. c. 76.
33 & 34 Vict. c. 75.

1.—(1.) The managers of any school for science and art, or for science, or for art, or of any institution to which the Literary and Scientific Institutions Act, 1854, applies, may make an arrangement with any local authority within the meaning of the Technical Instruction Act, 1889, for transferring the school or institution to that authority, and the local authority may assent to any such arrangement and give effect thereto, subject to the provisions of that Act.

(2.) The provisions of section twenty-three of the Elementary Education Act, 1870, with respect to arrangements for the transfer of schools shall apply in the case of arrangements for the transfer of schools or institutions in pursuance of this section, with this modification, that for the purposes of transfers to a local authority references to the school board shall be construed as references to the local authority and references to the Education Department as references to the Department of Science and Art, and references to a school shall, in the case of an institution not being a school, be construed as references to the institution.

(3.) In this section the expression "managers" includes all persons who have the management of any school or institution, whether the legal interest in the site and buildings of the school or institution is or is not vested in them.

Short title.

2. This Act may be cited as the Schools for Science and Art Act, 1891.

CHAPTER 62.

An Act to further amend the Acts relating to the raising of Money by the London County Council, and for other purposes. [5th August 1891.]

WHEREAS the powers of the London County Council (in this Act referred to as "the Council") for the borrowing of money or raising of money by creation of stock, for purposes of capital expenditure, are limited by the London County Council (Money) Act, 1890, (in this Act referred to as "the Act of 1890") to expenditure for the purposes in the said Act mentioned, up to the thirty-first day of December one thousand eight hundred and ninety-one:

53 & 54 Vict. c. 41.

And whereas the accounts of the Council relative to their loans and borrowing powers have heretofore been made up to the thirty-first day of December in every year, but have now been made up to the thirty-first day of March one thousand eight hundred and ninety-one, and are intended hereafter to be made up in respect of the year commencing on the first day of April in each year and ending on the thirty-first day of March following, so that the financial year for which such accounts are made up shall coincide with the financial year under the Local Government Act, 1888. 51 & 52 Vict. c. 41.

And whereas estimates have been prepared by the various committees of the Council of the expenditure on capital account which will or may be required in the execution of the powers and duties respectively delegated to them for the financial year ending the thirty-first day of March one thousand eight hundred and ninety-two, and also for the following six months ending the thirtieth day of September one thousand eight hundred and ninety-two (which periods collectively are herein-after referred to as "the financial period") and all those estimates have been considered and approved by the finance committee of the Council in accordance with the provisions of the Local Government Act, 1888, and the estimates as so approved have been adopted by the Council:

And whereas various purposes for which money is required to be expended on capital account, and the sums estimated to be required in respect of each such purpose are set out in detail in the First Schedule to this Act (Part I.), and amount in the aggregate to two million one hundred and seventy-six thousand six hundred and twenty-five pounds: 2,176,625*l.*

And whereas the Council are promoting a Bill in Parliament in the present session, under the title of the London County Council (General Powers) Bill, by which powers are sought for the construction of new bridges and a new street, the widening and improvement of streets, and the purchase and acquisition of lands, as defined in the First Schedule to this Act (Part II.), and the estimated cost of those proposed works amounts to two hundred and ninety-seven thousand nine hundred and ninety-two pounds; and it is estimated that it will or may be necessary to expend on capital account in the execution of the powers conferred by the said Act, during the financial period a sum of one hundred and forty-eight thousand pounds: 148,000*l.*

And whereas under the Housing of the Working Classes Act, 1890, the Council have made a scheme, entitled the London (Boundary Street, Bethnal Green) Scheme, 1891, (which scheme is referred to in the said First Schedule, Part II.,) and the total estimated cost of carrying the said scheme into execution is four hundred and thirty thousand five hundred and ninety pounds; and the estimated amount that it will or may be necessary to expend on capital account for the purposes of the said scheme during the financial period is two hundred and two thousand pounds: 53 & 54 Vict. c. 70. 202,000*l.*

And whereas it is estimated that the amounts which the Council will or may require for loans to other bodies during the financial

1,745,000*l.* period will be not exceeding one million seven hundred and forty-five thousand pounds as set out in Part III. of the First Schedule to this Act:

49 & 50 Vict. cap. cxii. And whereas for the purpose of widening Cold Harbour Lane under the powers of the Metropolitan Board of Works (Various Powers) Act, 1886, the Council necessarily expended on capital account during the three months ending the thirty-first day of

19*l.* 19*s.* 2*d.* March one thousand eight hundred and ninety-one, a sum of nineteen pounds nineteen shillings and twopence (First Schedule, Part IV.), and, as the Council are under obligation to keep separate accounts of the money expended by them in connexion with the said widening, it is expedient that such expenditure should be authorised:

And whereas under the London Street Tramways Act, 1870, certain powers were reserved to the Metropolitan Board of Works, which are now vested in the Council, for the purchase of the tramways authorised by that Act within six months after the expiration of a period of twenty-one years from the passing of that Act, and at other intervals therein mentioned, and the first of the said periods terminates on the tenth day of February one thousand eight hundred and ninety-two; and it is expedient that powers should be given to expend money out of capital for that purpose in the event of such powers being exercised:

And whereas it is expedient that, subject to the provisions of this Act, the Council should have power to raise for the several purposes authorised by this Act such sums of money as they may require, not exceeding the amounts herein-after prescribed:

And whereas it is also expedient that, subject to such consent as herein-after provided, the Council should have certain additional powers of expenditure on capital account:

And whereas powers have been conferred on the Council for expenditure on capital account, and for raising money for that expenditure by borrowing or creation of stock, covering all the items set out in Part VI. of the said First Schedule, leaving the aggregate amount of new powers to be conferred by this Act as

1,210,243*l.* one million two hundred and ten thousand two hundred and forty-three pounds:

And whereas it is expedient that the Council should be empowered to employ, as herein-after provided, any money for the time being forming part of the Consolidated Loans Fund and not required for the payment of the dividends on consolidated stock:

And whereas it is expedient that the Council should after the issue of consolidated stock be empowered to pay certain parts of the dividends due thereon out of the money and in the manner by this Act prescribed:

And whereas it is expedient that the Council should be empowered to raise certain of the moneys which they are by this Act authorised to raise, and which it may be convenient to raise for a temporary period by the issue of bills, with the consent of the Treasury, for

not less than three and not more than twelve months, to be repaid out of money raised by the creation of consolidated stock under this Act:

And whereas it is expedient that the provisions with respect to unclaimed stock, unclaimed dividends on stock, and unclaimed money applicable to the redemption of stock, contained in the Metropolitan Board of Works (Money) Act, 1885, should be incorporated in this Act: 48 & 49 Vict. c. 50.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation.

1. This Act may be cited as the London County Council (Money) Act, 1891; and the London Council (Money) Acts, 1875 to 1890, and this Act may be cited together as the London County Council (Money) Acts, 1875 to 1891. Short title.

2. This Act shall be read and have effect as one with the Metropolitan Board of Works (Loans) Acts, 1869 to 1871, and the London Council (Money) Acts, 1875 to 1890, but all consolidated stock created by the Council shall be charged on the county rate in substitution for the consolidated rate. Construction of Act.

3. In and for the purposes of this Act: Interpretation.

The expression "Main Drainage Acts" shall have the same meaning as is assigned to the same term in the Metropolitan Board of Works (Loans) Act, 1869.

The expression "the financial period" shall mean the current financial year of the Council ending the thirty-first day of March one thousand eight hundred and ninety-two, and the following six months ending the thirtieth day of September one thousand eight hundred and ninety-two.

The expression "the financial year" shall mean the current financial year ending the thirty-first day of March one thousand eight hundred and ninety-two.

The expression "the following six months" shall mean the six months ending the thirtieth day of September one thousand eight hundred and ninety-two.

Expenditure for Purposes already authorised by Parliament.

4. The expenditure on capital account by the Council of a sum of nineteen pounds nineteen shillings and twopence for the purposes of the Metropolitan Board of Works (Various Powers) Act, 1886, is hereby authorised and confirmed. Amendment of 53 & 54 Vict. c. 41. s. 6. 19*l.* 19*s.* 2*d.*

5. The Council may, during the financial year and the following six months respectively, expend on capital account for the purposes Power to expend money for sundry

purposes during the financial period.

herein-after mentioned such sums as they may think fit, not exceeding the amounts herein-after limited in relation to such purposes for the said periods respectively, and all sums expended during the following six months shall be expended on account of the financial year ending the thirty-first day of March one thousand eight hundred and ninety-three, viz.:—

(*a.*) For the purposes of providing station houses and sites, fire engines, fire escapes, hydrants, fireplugs, and permanent plant properly chargeable to capital for the purposes of the Fire Brigade Act, 1865, in the financial year, sixty thousand pounds, and in the following six months, twenty-two thousand pounds.

60,000*l.*
22,000*l.*

(*b.*) For the purposes of expenses properly chargeable to capital in relation to parks, gardens, and open spaces under the Acts mentioned in the Second Schedule to this Act in the financial year, one hundred and six thousand six hundred and forty-one pounds, and in the following six months thirty-five thousand pounds.

106,641*l.*
35,000*l.*

(*c.*) For the purposes of payments to be made in respect of the completion of Battersea and Putney Bridges under the Metropolitan Bridges Act, 1881, and the Metropolitan Board of Works (Bridges) Act, 1884, in the financial year, thirty-two thousand pounds, and in the following six months, one thousand pounds.

32,000*l.*
1,000*l.*

(*d.*) For the purposes of the formation of the tunnel approaches and works authorised by the Thames Tunnel (Blackwall) Acts, 1887 and 1888, in the financial year three hundred and sixty-two thousand pounds, and in the following six months sixty-five thousand pounds.

362,000*l.*
65,000*l.*

(*e.*) For the purposes of carrying into execution schemes and of contributing to schemes and other capital expenditure under the Acts relating to the Housing of the Working Classes mentioned in the Third Schedule to this Act, in the financial year one hundred and twenty-one thousand three hundred pounds, and in the following six months fifty thousand six hundred pounds.

121,300*l.*
50,600*l.*

(*f.*) For the purposes of paving streets as required by the London Streets (Removal of Gates) Act, 1890, or other expenses under that Act properly chargeable to capital account, in the financial year five thousand and five hundred pounds.

5,500*l.*

(*g.*) For the purposes of expenses incidental to the completion of the improvements under the Metropolitan Street Improvements Act, 1877, in the financial year six hundred pounds, and in the following six months one hundred pounds.

600*l.*
100*l.*

(*h.*) For the purposes of expenses incidental to the completion of the improvements under the Metropolitan Street Improvements Act, 1883, properly chargeable to capital, in the financial year, three hundred pounds, and in the following six months one hundred pounds.

300*l.*
100*l.*

(*i.*) For the purposes mentioned in section one hundred and forty-four of the Metropolis Management Act, 1855, and section seventy-two of the Metropolis Management Amendment Act, 1862, and for the purposes properly chargeable to capital, of any improvement or work effected by the Council and sanctioned by Parliament (expenditure in relation to which is not otherwise specially provided for by this Act), in the financial year one hundred thousand pounds, and in the following six months fifty thousand pounds. 100,000*l.* 50,000*l.*

(*j.*) For the purposes of works and capital expenditure authorised by the Metropolitan Board of Works (Various Powers) Act, 1885, in the financial year two hundred and twenty-eight thousand one hundred and twelve pounds, and in the following six months nineteen thousand pounds. 228,112*l.* 19,000*l.*

(*k.*) For the purposes of works and capital expenditure authorised by the Metropolitan Board of Works (Various Powers) Act, 1886, in the financial year one hundred and twenty-five pounds and in the following six months seventy-five pounds. 125*l.* 75*l.*

(*l.*) For the purposes of works and capital expenditure authorised by the Metropolitan Board of Works (Various Powers) Act, 1887, in the financial year nine hundred pounds. 900*l.*

(*m.*) For the purposes of works and capital expenditure authorised by the Metropolitan Board of Works (Various Powers) Act, 1888, in the financial year six thousand and eighty-one pounds, and in the following six months three hundred pounds. 6,081*l.* 300*l.*

(*n.*) For the purposes of purchase and laying out of land authorised by the Metropolitan Improvements Act, 1889, or other expenses under that Act properly chargeable to capital account, in the financial year five thousand and fifty pounds. 5,050*l.*

(*o.*) For the purposes of contribution towards the purchase of gardens and the acquisition of Brockwell Park authorised by the London Council (General Powers) Act, 1890, or other purposes of that Act properly chargeable to capital account, in the financial year four thousand six hundred and sixty-three pounds. 4,663*l.*

(*p.*) For the purposes of providing sites for and building, enlarging, and improving lunatic asylums, in the financial year three hundred and seventeen thousand three hundred and nineteen pounds, and in the following six months one hundred and two thousand and four hundred pounds. 317,319*l.* 102,400*l.*

(*q.*) For the purposes of additions to and other expenditure properly chargeable to capital in respect of industrial schools, in the financial year one thousand six hundred and fifty pounds and in the following six months seven hundred pounds. 1,650*l.* 700*l.*

(*r.*) For the purposes of the provision of stations and sites for the verification and stamping of weights and measures and

the provision of local standards and appliances in the financial year twenty-one thousand six hundred and fifty pounds, and in the following six months one thousand and nine hundred pounds.

21,650*l.*
1,900*l.*

(*s.*) For the purpose of acquiring a site for a council chamber and offices for the Council such sum or sums as the Council with the approval of the Treasury may think fit in the financial year and the following six months respectively.

(*t.*) For the purposes of providing testing stations, sites, and plant under any Acts relating to electric lighting, in the financial year four thousand eight hundred pounds, and in the following six months three thousand pounds.

4,800*l.*
3,000*l.*

(*u.*) For the purposes, properly chargeable to capital, of the Hampstead Heath Enlargement Acts, 1886 and 1888, in the financial year five hundred pounds.

500*l.*

(*v.*) For the purposes, properly chargeable to capital, of the Main Drainage Acts, including sewers, precipitation works, machinery, and appliances, and vessels or barges for the removal of sludge, in the financial year two hundred and seventy-seven thousand five hundred and nine pounds, and in the following six months one hundred and sixty-eight thousand seven hundred and fifty pounds.

277,509*l.*
168,750*l.*

Expenditure for Works authorised this Session.

Power to expend money for purposes of Acts of this session.

6. The Council may during the financial period expend on capital account for the purposes herein-after mentioned, such money as they think fit not exceeding the amounts limited in relation to such purposes respectively:—

(i.) For the purposes of the London County Council (General Powers) Bill, 1891, if it becomes law, in the financial year fifty-one thousand pounds, and in the following six months ninety-seven thousand pounds.

51,000*l.*
97,000*l.*

(ii.) For the purposes of the London (Boundary Street, Bethnal Green) Scheme, 1891 (including provision for rehousing of persons displaced), if the Provisional Order confirming the same becomes law, in the financial year one hundred thousand and five hundred pounds, and in the following six months one hundred and one thousand and five hundred pounds.

100,500*l.*
101,500*l.*

Provided that any money expended for any of the said purposes during the six months ending the thirtieth day of September one thousand eight hundred and ninety-two, shall be expended on account of the financial year ending the thirty-first day of March one thousand eight hundred and ninety-three.

Expenditure for Tramway and General Purposes.

Expenditure for tramway purposes.

7.—(i.) The Council may expend on capital account during the financial period such sums of money as may become payable by

them during that period in respect of the purchase of any tramways which they are authorised to purchase during that period by any Act of Parliament, and also such sums as may be necessary for the purposes of any expenses of and incidental to such purchase which may be properly chargeable to capital account.

(ii.) If the amounts estimated and provided for any of the various purposes in this Act set forth are found to be insufficient by reason of unforeseen circumstances, the Council may from time to time during the financial period apply to the Treasury for authority, and the Treasury may authorise the Council to expend for any such purposes such further sums as may be proved to their satisfaction to be necessary, not exceeding in the aggregate one hundred thousand pounds. Expenditure for general purposes. 100,000*l.*

(iii.) The tables to accompany the Bill of the Council for powers to expend and raise money in the next session of Parliament shall specify any particular sums authorised under this section and the application thereof.

Loans to Public Bodies.

8.—(i.) Where a vestry or district board constituted under the Metropolis Management Act, 1855, or any Act amending or extending the same, desire in pursuance of authority vested in them by Act of Parliament to borrow money for any purpose thereby authorised, then during the financial period the Council may lend to the vestry or district board, and the vestry or district board may borrow from the Council such money as the Council think fit, and as the vestry or district board are authorised and desire to borrow, but the total amount of such loans shall not exceed three hundred thousand pounds in the financial year, and one hundred and fifty thousand pounds in the following six months. Power to lend to vestries, district boards, corporations, commissioners, burial boards or other public bodies. 300,000*l.* 150,000*l.*

(ii.) Where any corporation, commissioners, burial board, or other public body (not being a vestry or district board constituted as aforesaid, a board of guardians, the managers of the Metropolitan Asylum District, or the School Board for London) having powers to levy directly or indirectly rates in the administrative county of London, or to make charges on rates leviable in that county, or to take or charge within that county dues or impositions in the nature of rates, desire, in pursuance of authority vested in them by Act of Parliament, to borrow money for any purpose thereby authorised, then during the financial period the Council may lend to the corporation, commissioners, burial board, or other public body, and they may borrow from the Council such money as the Council think fit, and as the corporation, commissioners, burial board, or other public body are authorised and desire to borrow; but the total amount of all such loans shall not exceed one hundred and fifty thousand pounds in the financial year, and seventy-five thousand pounds in the following six months. 150,000*l.* 75,000*l.*

(iii.) Commissioners for public libraries and museums appointed or hereafter to be appointed under the Public Libraries Act, 1855,

by the vestry of any parish in the administrative county of London, are hereby declared to be commissioners duly appointed, notwithstanding that such parish may be a parish in Schedule B. to the Metropolis Management Act, 1855, and any loan by the Council under this Act to commissioners so appointed, and any security given by such commissioners to the Council shall be deemed in all respects valid and effective, provided the sanction of the vestry and the Local Government Board be given to the borrowing by the commissioners.

(iv.) Money borrowed from and lent by the Council under this section shall be repaid to the Council with interest within such time after the borrowing as the borrowers, with the consent of the Local Government Board or the Treasury, as the case may be, where such consent is necessary to the borrowing, and the Council with the approval of the Treasury shall agree: Provided that the time after the borrowing within which such money shall be repaid to the Council shall not exceed in the case of a loan for the purpose of improvements in relation to streets or bridges, or for the purpose of purchase of land in fee simple, sixty years, and for any other purpose thirty years.

Power to lend to boards of guardians.

9. Where a board of guardians of a poor law union or parish wholly or for the greater part in the administrative county of London desire in pursuance of authority vested in them by Act of Parliament to borrow money for any purpose thereby authorised, then during the financial period, the Council may lend to the board of guardians, and the board of guardians may borrow from the Council, such money as the Council think fit, and as the board of guardians are authorised and desire to borrow, but the aggregate amount of all such loans shall not exceed two hundred thousand pounds in the financial year, and one hundred thousand pounds in the following six months.

200,000*l.*

100,000*l.*

Money borrowed from and lent by the Council under this section shall be repaid to the Council with interest within such time after the borrowing as the borrowers, with the consent of the Local Government Board, and the Council, with the approval of the Treasury, shall agree, not exceeding thirty years.

Power to lend to managers of Metropolitan Asylum District.

10. The Council may during the financial period lend to the managers of the Metropolitan Asylum District, in addition to the sums heretofore authorised to be lent by the Council to the said managers, such sums as the said managers are authorised by the Local Government Board to borrow in pursuance of any Act for the time being in force, not exceeding in the whole one hundred thousand pounds, as though the said sums were included in the amount authorised to be lent for such purposes by section thirty-seven of the Metropolitan Board of Works (Loans) Act, 1869, and the Acts amending the same.

100,000*l.*

Power to lend to School Board for London.

11. Where the School Board for London desire, in pursuance of authority vested in them by Act of Parliament, to borrow money for any purpose thereby authorised, then during the financial period

the Council may lend and the School Board may borrow from the Council such money as the Council think fit, and as the School Board are authorised and desire to borrow, not exceeding four hundred thousand pounds in the financial year, and two hundred and fifty thousand pounds in the following six months. 400,000*l.* 250,000*l.*

Money borrowed from and lent by the Council under this section shall be repaid to the Council with interest within such time after the borrowing, not exceeding fifty years, as the School Board, with the sanction (as the case may require) of the Education Department, or of a Secretary of State, and the Council, with the approval of the Treasury, shall agree.

Power to lend to Vestry of St. Pancras.

12. The Council may, during the financial period, lend to the Vestry of Saint Pancras, and the Vestry of Saint Pancras may borrow from the Council for the purposes authorised by the Saint Pancras Loans Amendment Act, 1887, such money as the Council think fit, and as the Vestry of Saint Pancras are authorised and desire to borrow, not exceeding twenty thousand pounds; provided that the money lent by the Council and borrowed by the Vestry of Saint Pancras under this section shall not, together with all money previously lent by the Council and borrowed by the Vestry of Saint Pancras for the said purposes, exceed one hundred and ten thousand pounds. 20,000*l.*

Money may be borrowed from and lent by the Council to the said vestry under this section in addition to any money borrowed from or lent by the Council to the said vestry under any other power of this Act, and shall be repaid to the Council with interest within such time after the borrowing, not exceeding fifty years, as the Council and the vestry of Saint Pancras, with the approval of the Treasury, shall agree.

Protection of Council in case of certain loans.

13. Where, under the authority of this or any other Act, the Council lend any money to any corporation, body of commissioners, public body, or persons, the exercise of whose powers of borrowing is subject to the consent of the Local Government Board, the sanction of that Board to the borrowing of such money shall in every such case be conclusive evidence that such corporation, body of commissioners, public body, or persons had when such sanction was given power to borrow such money.

Creation of Stock; Redemption; Borrowing.

Power to raise consolidated stock.

14. In order to raise the money for the several purposes for which the Council are by this Act authorised to expend or lend money, the Council may from time to time create consolidated stock, and the following provisions shall have effect:—

(i.) Where the Council under the authority of this Act create consolidated stock to raise money for the purpose of the Fire Brigade Act, 1865, or to enable them to make a loan repayable within a period not exceeding thirty years from the date of such loan, the Council shall from time to time carry to the Consolidated Loans Fund such sums as the Treasury approve, as being in their opinion sufficient to redeem within the

period of thirty years from the date of the creation of such stock, or within any less period for which any such loan may be made, an amount of consolidated stock equal to that so created;

(ii.) Money borrowed from and lent by the Council under the provisions of this Act may be made repayable either in one sum, or by instalments or by a series of equal annual or other instalments to include both principal and interest or otherwise as may be agreed between the Council and the borrowers;

(iii.) Where the Council are by this Act authorised to make a loan the Council, instead of raising money for any such loan by the creation of consolidated stock, may use for any such loan any money for the time being forming part of the Consolidated Loans Fund and not required for the payment of the dividends on consolidated stock. Provided that no such money shall be used for any loan repayable at a date later than the date at which the consolidated stock redeemable by means of the money so used is required to be redeemed;

(iv.) All sums received by the Council in respect of interest on, or principal of, any loan made by them under this Act shall be carried to the Consolidated Loans Fund;

(v.) Where the Council are authorised by this Act to raise money for any purpose, the Council, instead of raising such money by the creation of consolidated stock, may, with the approval of the Treasury, use for such purpose any money for the time being forming part of the Consolidated Loans Fund, and not required for the payment of the dividends on consolidated stock. Provided that no such money shall be so used unless provision shall be made in such manner as the Treasury approve for repaying the same to the Consolidated Loans Fund at or before the date at which consolidated stock redeemable by means of such money is required to be redeemed, and in every such case the Council shall raise, as part of the county rate, such sums as the Treasury approve as being in their opinion sufficient for the repayment at or before the date aforesaid of the money used for such purpose, and for the payment of the interest on the money so used, and such sums shall be carried by the Council to the Consolidated Loans Fund;

(vi.) Where the Council create consolidated stock for the purpose of any scheme made by the Metropolitan Board of Works, or the Council under any of the Acts mentioned in the Third Schedule to this Act, all money required for payment of dividends on, and the redemption of all consolidated stock created for such purpose, shall be charged to the special county account to which the expenditure for the purposes of the said Acts is chargeable;

(vii.) Consolidated stock for the purposes of this Act may be created by the Council from time to time in such amounts, and at such times only as the Council shall actually require for the said purposes respectively, and subject to such conditions as the Treasury may prescribe.

Power for Council after issue of stock to apply money raised by stock to make up dividends from fixed dates.

15. The Council may within twelve months after the issue of any consolidated stock, carry to the dividend account of the Consolidated Loans Fund for the purpose of providing for the payment of dividends on such stock from the dates fixed at the time of such issue, though the same may be earlier than the dates fixed for receiving the cash instalments on account of such loan, so much of the money arising from the issue of such stock as they may require for that purpose, and as the Treasury approve, and may apply the money so carried to such dividend account to the payment of such dividends.

Council may raise money by bills.

16. Notwithstanding anything in this Act, or in any other Act relating to the Council, the Council may at such times, and upon such terms as the Treasury approve, raise any part of the money which they are by this Act authorised to raise, not exceeding in the whole the sum of five hundred thousand pounds, by the issue of bills under this Act.

Form and length of currency and interest on metropolitan bills.

17. A bill under this Act (in this Act referred to as a "metropolitan bill") shall be a bill in form prescribed by regulations made in pursuance of this Act for the payment of the sum named therein in the manner and at the date therein mentioned, so that the date be not less than three nor more than twelve months from the date of the bill. Interest shall be payable in respect of a metropolitan bill at such rate and in such manner as the Council, with the consent of the Treasury, may direct.

Payment and application of proceeds of metropolitan bills and charge of bills on county rate.

18. All moneys raised by the issue of any metropolitan bills shall be paid to the Council, and shall be expended by them for the purposes for which the same are by this Act authorised to be raised respectively. The principal money and interest expressed in any metropolitan bill to be payable shall be charged on the county rate, and shall be payable out of the said rate, or as regards principal out of moneys raised by the creation of consolidated stock under this Act for the purpose for which such principal money has been expended, and as regards interest out of the Consolidated Loans Fund.

46 & 47 Vict. c. 27. ss. 18, 19, 21, 22 to apply to metropolitan bills under this Act.

19. The provisions contained in sections eighteen, nineteen, twenty-one and twenty-two of the Metropolitan Board of Works (Money) Act, 1883, with respect to metropolitan bills as defined by that Act, shall extend and apply with respect to metropolitan bills as defined by this Act, and for the purpose of such application the expressions "this Act" and "metropolitan bill" in the said sections shall be construed to mean respectively this Act and metropolitan bill as defined by this Act.

Power to create consolidated stock partially suspended while metropolitan bills authorised to be raised.

20. For the repayment of the principal moneys due on metropolitan bills, the Council may, by the creation of consolidated stock, raise any sum which by this Act they are authorised to apply to the purposes for which such principal money has been expended, but, save as aforesaid, the powers given to the Council by this Act to raise moneys by the creation of consolidated stock shall be suspended to the extent to which moneys have been raised by the issue of metropolitan bills.

Miscellaneous.

32 & 33 Vict. c. 102. s. 38 not to extend to money raised under this Act.

21. The limitation on the borrowing power of the Council contained in section thirty-eight of the Metropolitan Board of Works (Loans) Act, 1869, shall not extend to money raised by the Council in conformity with and for purposes mentioned in this Act.

Certain moneys expended and loans advanced under Act of 1890 to be on account of current financial year.

22. All moneys expended on capital account by the Council and all loans advanced by the Council, between the thirty-first day of March one thousand eight hundred and ninety-one and the passing of this Act, under the powers of the London County Council (Money) Act, 1890, shall be deemed and taken to be money expended and loans advanced under the powers of this Act on account of the financial year ending the thirty-first day of March one thousand eight hundred and ninety-two. Any existing power of the Council under the said Act to expend money on capital account or to advance loans unexercised at the date of the passing of this Act shall cease and be extinguished.

Limit to exercise of borrowing powers.

23. During the financial period, the Council shall not (except for such temporary period not exceeding six months as the Treasury may sanction) raise otherwise than in conformity with and to the extent mentioned in this Act any money under any powers of borrowing conferred upon the Council either by this Act or any other Act whatsoever: Provided always that the limitations contained in this section shall not extend to limit or control the raising of money under the authority of section thirty-four of the Metropolitan Board of Works (Loans) Act, 1869, or of section eight of the Metropolitan Board of Works (Loans) Act, 1875, for the purposes in the said sections respectively mentioned.

Incorporation of sections 27 to 43 of 48 & 49 Vict. c. 50.

24. Sections twenty-seven to forty-three, inclusive, of the Metropolitan Board of Works (Money) Act, 1885, shall be deemed to be incorporated with this Act.

Not to limit expenditure out of revenue.

25. Nothing in this Act shall be construed to limit or affect the powers of the Council to expend money out of rates or their revenue for any purpose to which such rates or revenue are properly applicable, and nothing in the London County Council (Money) Acts, 1888, 1889, and 1890, shall be construed as having so limited or affected the powers of the Council, and in computing for the purposes of those Acts the money previously expended by the Metropolitan Board of Works and the Council no expenditure out of revenue for the said purposes or any of them shall be taken into account.

Expenses of Bills authorising the Council to raise money.

26. The expenses of any application to Parliament by the London County Council for the purpose of obtaining authority to borrow money for the execution of powers conferred on the Council by any Act of Parliament, may be defrayed by the Council as payments for general county purposes.

SCHEDULES.

THE FIRST SCHEDULE.

Part I.

Estimated Capital Requirements, 1st April 1891 to 30th September 1892.

Reference to Section of foregoing Act.	Acts for the Purpose of which the Borrowing Power is required.	Nature of Expenditure.	Estimated Requirement for Year ending 31st March 1892.	Estimated Requirement for Half Year ending 30th September 1892.
			£	£
Sec. 5: Sub-sec. (*a*.) -	Fire Brigade Act - -	Sites and buildings for fire brigade stations, permanent plant, and hydrants.	60,000	22,000
„ (*b*.) -	Acts relating to parks, gardens, and open spaces.	For ordinary capital disbursements on all parks and open spaces belonging to the Council (such as enclosing, laying out, draining, planting, erecting lodges and drinking fountains, providing seats, gymnasiums, &c.), and for acquisition of or contribution towards small open spaces under general powers.	106,641	35,000
„ (*c*.) -	Metropolitan Bridges Act, 1881, and Metropolitan Board of Works (Bridges) Act, 1884.	Deferred payments under contract for building, and contingencies in respect of, Battersea and Putney bridges.	32,000	1,000
„ (*d*.) -	Thames Tunnel (Blackwall) Acts, 1887 and 1888.	Formation of tunnel and approaches - -	362,000	65,000

Reference to Section of foregoing Act.	Acts for the Purpose of which the Borrowing Power is required.	Nature of Expenditure.	Estimated Requirement for Year ending 31st March 1892.		Estimated Requirement for Half Year ending 30th September 1892.	
Sec. 5: Sub-sec. (*e.*) -	Acts relating to housing of the working classes.	Cable Street scheme, Shelton Street scheme, common lodging houses, and new sites for costermongers dwellings, if bought by the Council; contributions to schemes under Part II. of the Housing of the Working Classes Act, 1890, and contingencies under any scheme.	£ 121,300		£ 50,600	
			£	£	£	£
„ (*f.*) -	London Streets (Removal of Gates) Act, 1890.	Laying down of silent pavement - -	—	5,500	—	—
„ (*g.*) -	Metropolitan Street Improvements Act, 1877.	Incidental expenses - - - -	—	600	—	100
„ (*h.*) -	Metropolitan Street Improvements Act, 1883.	Do. - - - -	—	300	—	100
„ (*i.*) -	Metropolis Management Act, 1855, and the Metropolis Management Amendment Act, 1862.	Minor improvements of streets, &c., and contributions to local improvements of streets, &c.; also small capital payments on finished improvements or works, including any improvement or work sanctioned by Parliament, for which no provision is elsewhere made in this Act.	—	100,000	—	50,000
„ (*j.*) -	Metropolitan Board of Works (Various Powers) Act, 1885.	Rosebery Avenue - - - -	159,712	—	17,000	—
		Woolwich Ferry - - - -	67,200	—	2,000	—
		Highbury Fields - - - -	1,200	—	—	—
				228,112		19,000

Reference to Section of foregoing Act.	Acts for the Purpose of which the Borrowing Power is required.	Nature of Expenditure.	Estimated Requirement for Year ending 31st March 1892.		Estimated Requirement for Half Year ending 30th September 1892.	
			£	£	£	£
Sec. 5: Sub-sec. (*k.*) -	Metropolitan Board of Works (Various Powers) Act, 1886.	Coldharbour Lane widening, for contingencies -	—	125	—	75
„ (*l.*) -	Metropolitan Board of Works (Various Powers) Act, 1887.	Enlarging bridge over Grand Surrey Canal at Canterbury Road.	—	900	—	—
„ (*m.*) -	Metropolitan Board of Works (Various Powers) Act, 1888.	Church Street, Fulham, widening - -	2,533	—	200	—
		Constructing a bridge over railway at Culvert Road, and widening Latchmere Road by enlarging the span of railway bridge.	3,548	—	100	—
				6,081		300
„ (*n.*) -	Metropolitan Improvements Act, 1889.	For acquiring and laying out land adjoining Whitfield's Tabernacle in Tottenham Court Road.	—	5,050	—	—
„ (*o.*) -	London Council (General Powers) Act, 1890.	For acquiring Brockwell Park (further costs) -	2,463	—	—	—
		For acquiring North Woolwich Gardens (the Council's share).	1,000	—	—	—
		For acquiring freehold of Fairseat House, Waterloo Park.	1,200	—	—	—
				4,663		
„ (*p.*) -	Local Government Act, 1888, and Lunacy Act, 1890.	Lunatic Asylums. Sites. New building and enlargements.	—	317,319	—	102,400
„ (*q.*) -	Local Government Act, 1888 -	Industrial schools— Additions at Feltham and Mayford - -	—	1,650	—	700

Reference to Section of foregoing Act.	Acts for the Purpose of which the Borrowing Power is required.	Nature of Expenditure.	Estimated Requirement for Year ending 31st March 1892.		Estimated Requirement for Half Year ending 30th September 1892.	
			£	£	£	£
Sec. 5 : Sub-sec. (*r.*) -	Local Government Act, 1888, and Weights and Measures Act, 1889.	Provision of stations and sites for the verification and stamping of weights and measures, provision of local standards, &c.	—	21,650	—	1,900
„ (*s.*) -	Local Government Act, 1888 -	For the provision of a site for Council Chamber and offices, if the Council determine to acquire one.	—	Such a sum as the Treasury may approve.	—	Such a sum as the Treasury may approve.
, (*t.*) -	Electric Lighting Acts - -	For provision of electric testing stations sites and plant for testing.	—	4,800	—	3,000
„ (*u.*) -	Hampstead Heath Enlargement Act, 1886 and 1888.	Further cost of acquisition - - -		£ 500		£ —
„ (*v.*) -	Main Drainage Acts - -	Precipitation and other works at the pumping stations; sewerage works; sludge ships and new main sewerage works.		277,509		168,750
				1,656,700		519,925
						1,656,700
					Total	2,176,625

Part II.

Up to 30th September 1892.

Reference to Section of foregoing Act.	Acts for the Purpose of which the Borrowing Power is required.	Nature of Expenditure.	Amount.	Estimated Requirement for Year ending 31st March 1892.	Estimated Requirement for Half-year ending 30th September 1892.
		Total Estimate. £	£	£	£
Sec. 6: Sub-sec. (i.)	London County Council (General Powers) Bill, 1891 (if it becomes law).	Barking Road Bridge 72,000 Isle of Dogs Bridge - 48,500 Evelyn Street, Deptford. 66,250 St. George's Place, Knightsbridge. 32,542 Fulham Palace Road and Queen's Road, Hammersmith. 18,500 Fortess Road, Kentish Town. 35,900 Bostall Woods, acquisition. 6,300 Peckham Rye Extension. 18,000	297,992	51,000	97,000
„ (ii.)	Housing of the Working Classes Act, 1890.	New Scheme at Boundary Street, and provision for rehousing. 406,000 Provision at Goldsmith Square, for rehousing. 24,590	430,590	100,500	101,500
			728,582	151,500	198,500
				350,000	

Part III.

Amounts estimated to be required for Loans to other Bodies.

Section of Act.	Purpose.	During Year ending 31st March 1892.	During Six Months ending 30th September 1892.
Sec. 8:		£	£
Sub-sec. (i.)	Loans to vestries and district boards -	300,000	150,000
Sub-sec. (ii.)	Loans to other public bodies - -	150,000	75,000
Sec. 9 - -	Loans to guardians - - -	200,000	100,000
Sec. 11 - -	Loans to School Board for London -	400,000	250,000
		1,050,000	575,000
		100,000	
Sec. 10 - -	Loans to Managers of Metropolitan Asylum District.		
Sec. 12 - -	Loans to vestry of St. Pancras - -	20,000	1,745,000

PART IV.

SUPPLEMENTAL UP TO 31ST MARCH 1891.

Reference to Section of Act conferring Power.	Act for the Purpose of which Borrowing Power is conferred.	Nature of Expenditure.	Amount.
Sec. 4 - -	Metropolitan Board of Works (Various Powers) Act, 1886.	Expenditure on Coldharbour Lane for the Council's share of disbursements.	£ s. d. 19 19 2

PART V.

SUMS WHICH MAY BE AUTHORISED BY THE TREASURY BEYOND AMOUNTS LIMITED BY ANY SECTION OF THIS ACT.

Reference to Section of Act conferring Power.	Act for the Purpose of which Borrowing Power is conferred.	Nature of Expenditure.	Amount.
Sec. 7 (ii.) - -	All or any of the Acts referred to in this Act.	Undefined - - -	£ 100,000

PART VI.

AMOUNTS INCLUDED ABOVE WHICH ARE REGRANTS OF BORROWING POWERS PREVIOUSLY GRANTED.

IN ORDER TO ASCERTAIN THE EXTENT OF THE NEW BORROWING POWERS CONFERRED BY THIS ACT, IT IS NECESSARY TO DEDUCT THE FOLLOWING SUMS, WHICH ARE AMOUNTS OF BORROWING POWERS CONFERRED BY THE ACTS OF 1889 AND 1890, AND NOT HAVING BEEN EXERCISED ON THE 1ST OF APRIL 1891, ARE INCLUDED AGAIN IN THIS ACT.

	£	s.	d.
Fire Brigade - - - - - -	82,000	0	0
Parks, Commons, and Open Spaces - - -	87,754	0	0
Metropolitan Bridges Act, 1881, and Metropolitan Board of Works (Bridges) Act, 1884 - - -	33,000	0	0
Thames Tunnel (Blackwall) Acts, 1887 and 1888 -	427,000	0	0
Housing of the Working Classes Acts - - -	137,362	0	0
London Streets (Removal of Gates) Act, 1890 - -	50	0	0
Metropolitan Street Improvements Act, 1877 - -	700	0	0
Metropolitan Street Improvements Act, 1883 - -	400	0	0
Improvements under the Metropolis Management Act, 1855, the Metropolis Management Amendment Act, 1862, and including improvement or work sanctioned by Parliament, for which no provision is elsewhere made - - - - - - -	150,000	0	0
Metropolitan Board of Works (Various Powers) Act, 1885	247,087	0	0
Metropolitan Board of Works (Various Powers) Act, 1886	219	19	2
Metropolitan Board of Works (Various Powers) Act, 1887	900	0	0
Metropolitan Board of Works (Various Powers) Act, 1888	6,381	0	0

	£	s.	d.
Metropolitan Improvements Act, 1889	5,050	0	0
London Council (General Powers) Act, 1890	4,663	0	0
Local Government Act of 1888	120,128	0	0
Electric Lighting Acts	7,800	0	0
Hampstead Heath enlargement	500	0	0
Main drainage	265,607	0	0
Loans to vestries and district boards	439,300	0	0
Loans to other public bodies	167,450	0	0
Loans to guardians	263,100	0	0
Loans to Managers of Metropolitan Asylum District	94,950	0	0
Loans to School Board for London	600,000	0	0
Loans to vestry of St. Pancras	20,000	0	0
	3,161,401	19	2

NET AGGREGATE NEW BORROWING POWERS.

		£	£	£	s.	d.
For expenditure by the Council	For year ending 31st March 1892	508,230				
	For six months to 30th September 1892	541,813	1,050,043			
For loans	For the financial period ending 30th September 1892	5,050		1,210,243	0	0
	For six months to 30th September 1892	155,150	160,200			

THE SECOND SCHEDULE.

Section 5.

ACTS RELATING TO PARKS, GARDENS, AND OPEN SPACES.

The Finsbury Park Act, 1857.
An Act for the Protection of certain Gardens or Ornamental Grounds in Cities and Boroughs, 26 Vict. c. 13.
The Southwark Park Act, 1864, 27 & 28 Vict. c. iv.
„ Metropolitan Commons Act, 1866, 29 & 30 Vict. c. cxxii.
„ „ „ Amendment Act, 1869, 32 & 33 Vict. c. 107.
„ Hampstead Heath Act, 1871, 34 & 35 Vict. c. lxxvii.
„ Metropolitan Commons Supplemental Act, 1871 (Blackheath), 34 & 35 Vict. c. lvii.
„ Metropolitan Commons Second Supplemental Act, 1871 (Shepherd's Bush), 34 & 35 Vict. c. lxiii.
„ Metropolitan Commons Supplemental Act, 1872 (Hackney Commons), 35 & 36 Vict. c. xliii.
„ „ „ „ „ 1873 (Tooting Beck Common), 36 & 37 Vict. c. lxxxvi.

The Leicester Square Act, 1874, 37 & 38 Vict. c. x.
„ Metropolitan Board of Works Act, 1874 (Finsbury Park), 37 & 38 Vict. c. xcvii.
„ „ „ „ (Various Powers) Act, 1875 (Tooting Graveney Common and Finsbury Park), 38 & 39 Vict. c. clxxix. s. 14.
„ Metropolitan Open Spaces Act, 1877, 40 & 41 Vict. c. 35.
„ Metropolitan Board of Works Act, 1877 (Forest Hill Recreation Ground Byelaws, &c.), 40 & 41 Vict. c. viii.
„ Metropolitan Commons Supplemental Act, 1877 (Clapham Common and Bostal Heath), 40 & 41 Vict. c. cci.
„ Metropolitan Commons Act, 1878, 41 & 42 Vict. c. 71.
„ Plumstead Common Act, 1878 (Plumstead Common and Shoulder of Mutton Green), 41 & 42 Vict. c. cxlv.
„ Wormwood Scrubs Act, 1879, 42 & 43 Vict. c. clx.
„ Metropolitan Commons Supplemental Act, 1881 (Brook Green, Eel Brook Common, &c.), 44 Vict. c. xviii.
„ Metropolitan Board of Works (Hackney Commons) Act, 1881, 44 & 45 Vict. c. cxlviii.
„ Metropolitan Open Spaces Act, 1881, 44 & 45 Vict. c. 34.
„ Metropolitan Board of Works (Various Powers) Act, 1882 (Peckham Rye, &c., and Tooting Beck), 45 & 46 Vict. c. lvi.
„ Metropolitan Commons Supplemental Act, 1884 (Streatham Common), 47 & 48 Vict. c. ii.
„ Metropolitan Board of Works (Various Powers) Act, 1884 (Plumstead Common and Hackney Commons), 47 & 48 Vict. c. ccxxiii.
„ Metropolitan Board of Works (Various Powers) Act, 1885 (Highbury Fields, Dulwich Park, and Plumstead Common), 48 & 49 Vict. c. clxvii.
„ Metropolitan Board of Works (Various Powers) Act, 1886 (Little Wormwood Scrubs and Dulwich Park), 49 & 50 Vict. c. cxii.
„ Hampstead Heath Enlargement Act, 1886, 50 Vict. c. xli.
„ Metropolitan Board of Works (Various Powers) Act, 1887 (Wandsworth Common, Bostal Heath, Brook Green, Ravenscourt Park, Penge Recreation Ground and W.C.'s in Parks, &c.), 50 & 51 Vict. c. cvi.
„ Open Spaces Act, 1887, 50 & 51 Vict. c. 32.
„ London Parks and Works Act, 1887 (Victoria Park, Battersea Park, Kennington Park, Bethnal Green Museum Garden), 50 & 51 Vict. c. 34.
„ Clissold Park (Stoke Newington) Act, 1887, 50 & 51 Vict. c. cxxxvii.
„ Metropolitan Board of Works (Various Powers) Act, 1888 (Kennington Park, Dulwich Park, Lands at Lewisham), 51 & 52 Vict. c. clvi.
„ Hampstead Heath Enlargement (Amendment) Act, 1888, 51 & 52 Vict. c. cli.
„ Metropolitan Improvements Act, 1889 (Clissold Park, Tench Street Playground, Whitfield's Tabernacle, Shaftesbury Avenue, and Piccadilly Circus Ornamental Enclosures, Myatts Fields), 52 & 53 Vict. c. cxlvii.
„ London Council (General Powers) Act, 1890 (Brockwell Park, Waterlow Park, North Woolwich Gardens), 53 & 54 Vict. cap. ccxliii.
„ Open Spaces Act, 1890.
„ London County Council (General Powers) Act, 1891 (Bostall Woods, Peckham Rye (Extension)), 54 & 55 Vict. c. ccvi.

THE THIRD SCHEDULE.

Sections 5, 13.

ACTS RELATING TO THE HOUSING OF THE WORKING CLASSES.

1876	39 & 40 Vict. -	Ch. cc. -	Whitechapel and Limehouse Scheme.
1877	40 & 41 Vict. -	Ch. ciii. -	Goulston Street and Flower-and-Dean Street, Whitechapel, Scheme — St. George-the-Martyr, Southwark, Scheme, and Bedfordbury, St. Martin-in-the-Fields, &c., Scheme.
1877	40 & 41 Vict. -	Ch. cxxxiii. -	Great Wild Street, St. Giles-in-the-Fields, Scheme—Pear Tree Court, Clerkenwell, Scheme—Whitecross Street, St. Luke, Scheme—High Street, Islington, Scheme, and Old Pye Street, Westminster, Scheme.
1878	41 & 42 Vict. -	Ch. cxii. -	Bowman's Buildings, Marylebone, Scheme, and Essex Road, Islington, Scheme.
1879	42 & 43 Vict. -	Ch. lxxix. -	Little Coram Street, St. Giles, &c., Scheme — Wells Street, Poplar, Scheme, and Great Peter Street, Westminster, Scheme.
1879	42 & 43 Vict. -	Ch. lxxx. -	Whitechapel and Limehouse (Modification) Scheme.
1880	43 & 44 Vict. -	Ch. cxxxi. -	High Street, Islington (Modification), Scheme.
1883	46 & 47 Vict. -	Ch. xciv. -	Tench Street, St. George-in-the-East, Scheme.
1883	46 & 47 Vict. -	Ch. xcv. -	Brook Street, Limehouse, Scheme.
1883	46 & 47 Vict. -	Ch. xcvi. -	Windmill Row, New Cut, Lambeth, Scheme.
1883	46 & 47 Vict. -	Ch. xcvii. -	Trafalgar Road, Greenwich, Scheme.
1885	48 & 49 Vict. -	Ch. xcix. -	Hughes Fields, Deptford, Scheme.
1885	48 & 49 Vict. -	Ch. c. -	Tabard Street, Newington, Scheme.
1886	49 & 50 Vict. -	Ch. cxii. -	Metropolitan Board of Works (Various Powers) Act, 1886 (s. 38.).
1887	50 & 51 Vict. -	Ch. ci. -	Cable Street, Shadwell, Scheme.
1887	50 & 51 Vict. -	Ch. cii. -	Shelton Street, St. Giles, Scheme.
1888	51 & 52 Vict. -	Ch. xxxii. -	The Metropolis (Whitechapel and Limehouse) Provisional Order Confirmation Act.
1890	53 & 54 Vict. -	Ch. 70. -	Housing of the Working Classes Act, 1890.

CHAPTER 63.

An Act to confer further powers on County Councils and other Authorities with respect to Main Roads and other Highways and Bridges. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Highways and Bridges Act, 1891.

Extent of Act.

2. This Act shall not apply to Scotland or Ireland or the county of London.

Agreement between highway authorities for improvement of roads and bridges.

3. The council of any administrative county, and any highway authority or authorities, and the council of any adjoining county, may from time to time make and carry into effect agreements with each other for or in relation to the construction, reconstruction, alteration or improvement, or the freeing from tolls, of any main road or other highway, or of any bridge (including the approaches thereto), wholly or partly situate within the jurisdiction of any one or more of the party or parties to the agreement.

All expenses incurred by any such county council or highway authority, in pursuance of this section, shall be defrayed as part of the expenses incurred in relation to the maintenance, repair, improvement, or enlargement of bridges, main roads, or other highways by such council or highway authority, in such proportions as shall be determined by any such agreement as aforesaid, and any powers of borrowing, applicable to the raising of any fund for the payment of any such expenses as aforesaid, shall be applicable accordingly:

Provided that if a highway board think it just that any parish or parishes specially benefited by any construction, reconstruction, alteration, or improvement under this section should bear the expense thereof, or any part of such expense, they may, with the approval of the county council of the county within which their highway district is situate, and with the assent of the inhabitants of such parish or parishes in vestry assembled, charge such expense, or such part thereof as they may think just, exclusively on such parish or parishes

Power to reduce main road to status of ordinary highway. 41 & 42 Vict. c. 77.

4. Section sixteen of the Highways and Locomotives Amendment Act, 1878, shall apply to any part of a main road in any county, and so much of such section as requires that any order made thereunder shall be provisional, and shall be confirmed as in the said Act mentioned, is hereby repealed, but no such order shall be made in respect of any main road within a municipal borough without the assent of the council of the said borough having been first obtained.

Contracts for supply of road material not to disqualify for election to county council.

5. No person shall be disqualified for being elected, or for being a member of a county council, by reason only of his having any share or interest in any contract with such county council for the supply from land, of which he is owner or occupier, of stone, gravel, or other materials for making or repairing highways or bridges. Provided always that no such share or interest in any contract shall exceed the amount of fifty pounds in any one year.

Construction of Act. 51 & 52 Vict. c. 41.

6. Words and expressions to which meanings are assigned by the Local Government Act, 1888, have in this Act the same respective meanings, and in this Act the word "highway" includes any public bridle path or footway.

CHAPTER 64.

An Act to transfer the Middlesex Registry of Deeds to the Land Registry, and provide for the conduct of the business thereof. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Transfer of Middlesex Registry to Land Registry

1. The Middlesex Registry shall be transferred to the Land Registry established under the Land Transfer Act, 1875, and shall form part of that office and be conducted by the Registrar of that office accordingly, and all powers and indemnities subsisting and all penalties imposed for the purposes of the Land Transfer Act, 1875, shall be available for the purposes of the Middlesex Registry Act, 1708, and the Middlesex Registry Act, 1891.

38 & 39 Vict. c. 87.
7 Anne, c. 20.
54 & 55 Vict. c. 10.

Rules.

2.—(1.) Subject to any rules made under this section, the regulations in the First Schedule to this Act shall be observed in the Middlesex Registry.

(2.) The provisions as to making rules contained in sections one hundred and eleven and one hundred and twelve of the Land Transfer Act, 1875 (except so much of those provisions as requires regard to be had to the value of any land or charge in fixing fees), shall extend to the making of rules for the purposes of the Middlesex Registry Act, 1708: Provided that the charges of solicitors which are regulated under the Solicitors Remuneration Act, 1881, shall not be altered by any rule made under this section.

7 Anne, c. 20.

(3.) The Middlesex Registry Act, 1708, shall be construed as if the directions contained in any such rules and regulations were embodied in that Act.

Transfer of buildings, effects, and moneys of Middlesex Registry.

3.—(1.) All land, registers, books, papers, and effects held or used at the commencement of this Act for the purposes of the Middlesex Registry shall as from that date vest in Her Majesty for the public service, for all the estate and interest for which the same are then held or used, subject to the liabilities affecting the same.

(2.) All such land shall be under the management of the Commissioners of Works, and the Acts relating to the Commissioners of Works shall apply as if the land had been acquired by the Commissioners in pursuance of those Acts.

(3.) All moneys received on account of the Middlesex Registry shall be payable into the Exchequer.

Existing officers of Middlesex Registry.

4.—(1.) Such of the persons employed in and about the Middlesex Registry as the Lord Chancellor, with the consent of the Treasury, may declare by order to be necessary for the permanent organisation of the Registry, shall be transferred to the Land Registry, and shall perform such duties in relation to the business of the Land Registry as may be directed by the Lord Chancellor, and shall have the same relative rank, and shall receive out of moneys provided by Parliament at least the same remuneration, as

if this Act had not passed, and shall be in the permanent Civil Service of the State, and for the purpose of superannuation or other allowances may reckon service before the commencement of this Act in the Middlesex Registry as service in the said permanent Civil Service.

(2.) Every pension or compassionate allowance heretofore paid out of the surplus income of the Middlesex Registry shall continue, if and so far as the Treasury shall so determine, to be paid, and shall be paid out of moneys provided by Parliament; and there may be paid, out of moneys provided by Parliament, to any person who is permanently or otherwise employed in the Middlesex Registry and is not transferred as aforesaid, or whose employment is otherwise determined by the operation of this Act, such pension or gratuity as the Treasury, with the concurrence of the Lord Chancellor, may think fit.

Discharges of mortgages.

5. Except on the application of the mortgagee named in the mortgage, his executors or administrators, it shall not be necessary for the Registrar to note on the register the discharge of a mortgage in any other manner than by registering a memorial of the instrument of discharge.

Memorials as to judgments, &c., not to be registered.

6. It shall not be necessary for the validity of any judgment, statute, or recognizance, that a memorial thereof be registered under the Middlesex Registry Act, 1708.

Repeal.

7. The Acts mentioned in the Second Schedule to this Act are hereby repealed as from the commencement of this Act to the extent in the third column of the said schedule mentioned.

Short title and commencement.

8. This Act may be cited as the Land Registry (Middlesex Deeds) Act, 1891, and shall come into operation on the first day of April one thousand eight hundred and ninety-two.

SCHEDULES.

Section 2.

FIRST SCHEDULE.

(1.) Every memorial to be registered shall be put into writing on paper of a size and quality to be prescribed by the registrar and brought to the registry.

(2.) In case of deeds and conveyances, the memorial shall be under the hand and seal of some or one of the grantors, or some or one of the grantees, his or their heirs, executors, or administrators, guardians, or trustees, attested by one witness, such witness where practicable to be a witness to the execution of such deed or conveyance; which witness shall upon his oath prove the signing and sealing of such memorial, and, where such witness is a witness to the deed or conveyance, the execution of the deed or conveyance mentioned in such memorial.

(3.) In case of wills the memorial shall be under the hand and seal of some or one of the devisees, his or their heirs, executors, or administrators, guardians, or trustees, attested by one witness who shall upon his oath prove the signing and sealing of such memorial.

(4.) A certificate of such oath shall be endorsed on the memorial and shall be signed by the person before whom the oath has been taken.

(5.) Every memorial of any deed, conveyance, or will shall contain the day of the month and the year when such deed, conveyance, or will bears date, and the names and additions of all the parties to such deed or conveyance, and of the devisor or testatrix of such will, and of all the witnesses

to such deed, conveyance, or will, and where practicable the places of their abode, and shall express or mention the lands and hereditaments contained in such deed, conveyance, or will, and the names of all the parishes within the county where any such lands or hereditaments are lying and being that are given, granted, conveyed, devised, or any way affected or charged by any such deed, conveyance, or will, in such manner as the same are expressed or mentioned in such deed, conveyance, or will, or to the same effect.

(6.) Every such deed, conveyance, and will, or probate of the same, of which such memorial is so to be registered as aforesaid, shall be produced to an officer of the registry at the time of registering such memorial.

(7.) A certificate shall be endorsed by an officer of the registry on every such deed, conveyance, and will, or probate thereof, and shall mention the day on which such memorial is so registered, and shall also express in what book and under what number the same is registered, and the said certificate shall be signed by an officer of the registry, which certificate shall be taken and allowed as evidence of such respective registries in all courts of record whatsoever.

(8.) Every memorial shall be numbered, and the day of the month and the year when every memorial is registered shall be entered in the margin thereof, and the registrar shall duly file every such memorial, in order of time, as the same shall be brought to the registry, and register the said memorials in the same order that they shall respectively come to his hands.

(9.) Where there are more writings than one for making and perfecting any conveyance or security which name, mention, or anyways affect or concern the same lands or hereditaments, it shall be a sufficient memorial and register thereof if all the said lands and hereditaments, and the parishes wherein the same lie, be only once named or mentioned in the memorial or register of any one of the deeds or writings made for the perfecting of such conveyance or security, and that the dates of the rest of the said deeds or writings relating to the said conveyance or security, with the names and additions of the parties and witnesses, and the places of their abodes, be only set down in the memorials and registers of the same, with a reference to the deed or writing whereof the memorial is so registered that contains or expresses the parcels mentioned in all the said deeds, and directions how to find the registering the same.

(10.) The filing of a memorial shall be the registration thereof required by the Middlesex Registry Act, 1708, and the registers shall consist of the filed memorials arranged or bound in volumes conveniently for reference.

(11.) Any person may search any register or index kept in the Land Registry in pursuance of this Act. The registrar as often as required, shall make searches concerning all memorials in the registry, and give certificates concerning the same if required.

(12.) Indexes shall be kept in such manner, and shall contain such particulars as to grantors, land affected, and otherwise, as the Registrar may direct.

(13.) The Registrar may form a consolidated index from the Lexicographical Index to cover such period as he may think advisable, and such index, when made, shall be in substitution for the indexes subsisting at the commencement of this Act for the period covered by such consolidated index.

(14.) Any person deriving title under an instrument (capable of registration under the Acts relating to the Middlesex Registry) which confers on him the right to apply for registration with a possessory title, of the land comprised in it under the Land Transfer Act, 1875, may, at his option, either register a memorial of an instrument under the Acts relating to the Middlesex Registry, or apply for registration with possessory title under the Land Transfer Act, 1875. Such registration shall, when completed,

bear the same date as the application, and render unnecessary the registration of the instrument under the Acts relating to the Middlesex Registry.

No fee shall be paid on such application other than the fee for the registration under the Land Transfer Act, 1875, and, if the application is made by a purchaser, no declaration as to possession shall be required.

In the event of an absolute title being afterwards applied for and obtained, allowance shall be made for the fees payable on the registration with possessory title.

(15.) The exercise by the Registrar of his powers under this schedule shall be subject to the approval of the Lord Chancellor.

Section 7.

SECOND SCHEDULE.

REPEALS.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
7 Anne, c. 20. -	The Middlesex Registry Act, 1708.	Section two, from "in manner following" to the end of the section. Sections three to seven, eleven to fourteen, sixteen, nineteen, twenty, and twenty-two.
25 Geo. 2. c. 4. -	An Act for appointing the deputy or secondary of the chief clerk to inrol pleas in the King's Bench called the master of the King's Bench Office one of the registrars or masters for the enrolment of deeds, wills, and other conveyances in the county of Middlesex, in the place and stead of such chief clerk.	The whole Act.
7 Will. 4. & 1 Vict. c. 30.	An Act to abolish certain offices in the Superior Courts of Common Law, and to make provision for a more effective and uniform establishment of officers in those courts.	Section twenty-eight.
5 & 6 Vict. c. 103. -	An Act for abolishing certain offices of the High Court of Chancery in England.	Section thirty-four.
22 & 23 Vict. c. 21. -	An Act to regulate the office of Queen's Remembrancer, and to amend the practice and procedure on the revenue side of the Court of Exchequer.	Section seven.

CHAPTER 65.

An Act to amend the Lunacy Act, 1890.

[5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. 53 & 54 Vict. c. 5.

1. This Act may be cited as the Lunacy Act, 1891, and this Act shall be construed as one with the Lunacy Act, 1890 (in this Act called the principal Act), and this Act and the principal Act may be cited together as the Lunacy Acts, 1890 and 1891.

Provisions as to relieving officers.

2.—(1.) A constable, relieving officer, or overseer whose duty it is, under the principal Act, to convey a lunatic to or from an institution for lunatics, may make proper arrangements for the performance of the duty by some other person or persons.

(2.) Where in a union there are two or more relieving officers, and the guardians, with the sanction of the Local Government Board, direct one relieving officer to discharge throughout the union the duties of a relieving officer in respect of lunatics, every other relieving officer in the union shall inform the officer so directed of any case of a lunatic, with which it would otherwise devolve upon such other relieving officer to deal, and it shall be the duty of the relieving officer receiving such information to deal with the case, and the other relieving officer shall be discharged from any further duty in the matter.

Classification of lunatics received under ss. 13, 16, of principal Act.

3. A lunatic sent to an institution for lunatics under section thirteen or sixteen of the principal Act shall be classified as a pauper, until it is ascertained that he is entitled to be classified as a private patient.

Amendments of 53 & 54 Vict. c. 5, section 24. 30 & 31 Vict. c. 106.

4.—(1.) Every pauper suffering from mental disease in a workhouse at the commencement of the principal Act, as to whom a report had before the commencement of the principal Act been made under section twenty-two of the Poor Law Amendment Act, 1867, may be detained in the workhouse against his will without an order under section twenty-four of the principal Act.

30 Vict. c. 6.

(2.) The medical superintendent of an asylum provided under the Metropolitan Poor Act, 1867, shall not be required in any certificate under sub-section one of section twenty-four of the principal Act, or under this Act, to certify to the effect in sub-clause (*c*) of that sub-section mentioned, and upon the transfer from a workhouse to an asylum provided under the Metropolitan Poor Act, 1867, of a lunatic, with regard to whom a certificate or order under the said section twenty-four made while he was in the workhouse is in force, no further certificate or order shall be required for the detention of the lunatic in the asylum.

Medical certificates.

5. There shall be attached to every order made by a justice under section twenty-four of the principal Act the medical certificates on which such order is founded.

section 27.

6. Where a workhouse is situate in a county which does not include the union to which the workhouse belongs, a summary reception order made by a justice of the county in which the workhouse is situate may order a lunatic in the workhouse to be received in any asylum, in which pauper lunatics chargeable to the union, to which the workhouse belongs, may legally be received.

section 38 (4).

7. Subsection four of section thirty-eight of the principal Act is hereby repealed, and the following subsection is substituted therefor:—

(4.) A reception order shall remain in force for a year after the date by this Act or by an order of the Commissioners appointed for it to expire, and thereafter for two years, and thereafter for three years, and after the end of such periods of one, two, and three years for successive periods of five years, if not more than one month nor less than seven days before the expiration of the period at the end of which, as fixed by this Act or by an order of the Commissioners under subsection two, the order would expire, and of each subsequent period of one, two, three, and five years respectively, a special report of the medical officer of the institution or of the medical attendant of the single patient as to the mental and bodily condition of the patient with a certificate under his hand certifying that the patient is still of unsound mind and a proper person to be detained under care and treatment is sent to the Commissioners.

section 39.

8. Section thirty-nine of the principal Act shall not apply to lunatics received under a removal order or to lunatics so found by inquisition.

section 55.

9.—(1.) In subsection three (*a*) of section fifty-five of the principal Act the words "or to travel in England" shall be inserted after the word "place."

(2.) In sub-section six of section fifty-five of the principal Act, for the words "licensed by visitors" shall be substituted the words "licensed by justices," and for the words "the Commissioners or visitors" shall be substituted the words "such Commissioner or such two visitors."

section 56 (3).

10. In subsection three of section fifty-six of the principal Act the words "or permit the patient to be absent upon trial for such "period as may be thought fit" shall be added after the word "health" at the end of the subsection.

section 61 (1).

11. In subsection one of section sixty-one of the principal Act the words "to the workhouse of the union to which the lunatic is "chargeable, or if the lunatic is chargeable to a county or borough, "to the workhouse of the union from which he was sent to the "hospital or licensed house" shall be inserted after the words "of the lunatic."

Hospitals may alter regulations.

12. The managing committee of every hospital may, with the approval of a Secretary of State, alter the regulations of the hospital.

Boroughs annexed to counties under

13.—(1.) Where under section two hundred and forty-six of the principal Act, a borough ceases to be a local authority under that

Act, the borough shall for all purposes of that Act be annexed to and treated as part of the county in which the borough is situate, and if or so far as the borough has not contributed towards the expense of providing the asylum of the county, a sum to be paid by the borough towards the expenses already incurred in providing the asylum shall be fixed by agreement between the councils of the county and borough, or in default of agreement by an arbitrator appointed by the parties, or, if the parties cannot agree upon an arbitrator, by an arbitrator appointed by the Local Government Board. In fixing the sum to be paid by the borough, the borough shall be credited with any sums already contributed by the borough for lunacy purposes in excess of its legal liability; and the arbitrator shall take into consideration the amounts that may have been paid by the borough for the reception or maintenance, in the asylum of the county, of the lunatics of the borough.

s. 246 to contribute to expense of asylum.

(2.) Where a borough had before the passing of this Act, by virtue of section eighty-six of the Local Government Act, 1888, and the determination of any contract, become liable to contribute to the county rate of the county in respect of a lunatic asylum, this section shall apply to such borough as if it had immediately after the passing of this Act ceased under section two hundred and forty-six of the principal Act, to be a local authority.

51 & 52 Vict. c. 41.

14. Any question relating to lunatic asylums or the maintenance of lunatics arising between any local authorities under the principal Act and any boroughs not being local authorities under that Act, and any visiting committees or any two or more of such parties respectively, may be referred to an arbitrator appointed by the parties, or, if the parties cannot agree upon an arbitrator, by the Local Government Board.

Power to refer questions as to asylums to the court or to arbitration.

15. The provisions of sub-sections five, six, and seven of section sixty-two of the Local Government Act, 1888, shall apply to every sum by virtue of this Act agreed to be paid or awarded by an arbitrator as if such sum had been agreed to be paid or awarded under section sixty-two of the Local Government Act, 1888.

S. 62 of 51 & 52 Vict. c. 41. applied.

16. In sub-section two of section two hundred and fifty-four of the principal Act, there shall be added after the word "contracts" the words "for the purchase of lands and buildings and for the erection, restoration, and enlargement of buildings."

Amendment of s. 254 of 53 & 54 Vict. c. 5.

17. Where a contract between the council of a borough and the subscribers to a hospital for the reception of pauper lunatics into the hospital was subsisting on the twenty-sixth day of August one thousand eight hundred and eighty-nine, such contract, unless determined by the parties or one of them, shall be deemed to have continued in force since that date, and may be renewed subject to the same conditions and with the same consequences as if the contract had been entered into by a visiting committee on behalf of the borough.

Contracts by town councils and the subscribers to a hospital.

18. The provisions of the Local Government Act, 1888, relating to the accounts of county councils and their officers, and to the audit of such accounts, shall apply to the accounts of every asylum

Accounts of county asylums.

belonging wholly or in part to a county council and of the visiting committee and officers thereof.

Removal of lunatic becoming a pauper.

19.—(1.) Where a lunatic in a hospital or licensed house becomes a pauper, the manager of the hospital or house may, after having given notice to the authority liable for the maintenance of the lunatic of his intention so to do, apply to a justice of the peace having jurisdiction in the place where the hospital or house is situate for an order for the removal of the lunatic, and such justice may, if he thinks fit, make an order for the removal of the lunatic to an institution for lunatics to which pauper lunatics for whose maintenance the authority is liable may legally be sent and for the reception of the lunatic therein, and such institution shall be named in the order, and the manager of the hospital or house shall forthwith cause the lunatic to be removed to the institution named in the order. In the case of such removal the original reception order shall remain in force, and shall authorise the classification of the lunatic as a pauper lunatic in the institution to which he is removed.

(2.) The costs of obtaining an order under this section and of the removal of the lunatic shall be repaid to the manager who obtains the order by the authority liable for the maintenance of the lunatic, and any justice having jurisdiction in the place where the hospital or house from which the lunatic was removed is situate shall have power to fix the amount of such costs and to order such authority to repay the same. The provisions of section three hundred and fourteen of the principal Act shall apply to every such order for the repayment of costs.

Notice of reception of boarders into licensed houses and hospitals.

20. Where a boarder is received into a licensed house not within the immediate jurisdiction of the Commissioners in Lunacy, or into a registered hospital, notice of his reception shall be given to the Commissioners in Lunacy within twenty-four hours of his reception by the manager of the licensed house or hospital into which such boarder has been received.

If any manager fails to comply with the provisions of this section he shall, for each day or part of a day during which the default continues, be liable to a penalty not exceeding five pounds.

If the Commissioners after inquiry are of opinion that the mental state of any boarder received into a licensed house or hospital is such as to render him unfit to remain as a boarder, they may order the manager of the licensed house or hospital either to remove such boarder or to take steps to obtain an order for his reception as a patient into the licensed house or hospital.

Any manager failing to comply with an order of the Commissioners in Lunacy made pursuant to this section shall, for each day during which the default continues, be liable to a penalty not exceeding five pounds.

Complaints as to control of patients.

21. If complaints are made by persons resident in the neighbourhood of any hospital that the patients are allowed to go outside the hospital without a sufficient number of officers to control them, or that the patients are allowed to wander at large without any control, the Commissioners may, if they are satisfied that there

are primâ facie grounds for such complaints, inquire into the same, and may make such order in relation thereto as the Commissioners think just, and the superintendent of any hospital disobeying any such order shall be guilty of a misdemeanor.

Payment of expenses as to lunatics becoming paupers.

22. The provisions of the principal Act for the payment of expenses in relation to pauper lunatics shall be applicable with respect to lunatics in institutions for lunatics who become paupers.

Form of petition amended.

23. In Form 1 in the Second Schedule to the principal Act there shall be substituted for the word "Dated" the words "Date of presentation of the petition."

Amendment as to judicial authority under 53 & 54 Vict. c. 5.

24.—(1.) A justice of the peace specially appointed under section ten of the principal Act may exercise the powers of the judicial authority under that Act, notwithstanding that he may not have jurisdiction in the place where the lunatic or alleged lunatic is.

(2.) A judicial authority may, if he considers it expedient, transfer a petition for a reception order presented to him to any other judicial authority who is willing to receive the same, whether such other judicial authority has or has not jurisdiction in the place where the lunatic is, and such other judicial authority shall have the same powers as the judicial authority to whom the petition was presented would have had.

(3.) A reception order made after the passing of this Act shall not be invalid on the ground only that the justice of the peace who signed the order shall appear to have not been duly appointed under section ten of the principal Act, if the order is within fourteen days after its date approved and signed by a judicial authority.

(4.) The appointment at any time before or after the passing of this Act by the justices of a county or quarter sessions borough of justices to exercise the powers of the judicial authority under the principal Act shall not be invalid on the ground only that the appointment includes all the justices of the county or borough.

(5.) Every justice appointed under section ten of the Lunacy Acts Amendment Act, 1889, shall be deemed to have had power to exercise the jurisdiction conferred upon the judicial authority under the principal Act, and the jurisdiction of such justices and of any justices appointed or hereafter to be appointed under the principal Act shall be deemed to have continued and shall continue until a fresh appointment is made.

Power to confer powers of justice of the peace on member of board of guardians.

25. If for the due administration of the Lunacy Acts, 1890 and 1891, in any union it appears to the Lord Chancellor desirable, he may by writing under his hand empower the chairman of the board of guardians to sign orders for the reception of persons as pauper lunatics in institutions for lunatics, and every order so signed shall have effect as if made by a justice of the peace under the principal Act.

Amendments in procedure upon inquisitions.

26.—(1.) The provisions of section ninety-four sub-section two of the principal Act as to the trial of issues in the High Court shall extend to all inquisitions, and the masters may, for the purpose of inquisitions held before them, exercise the powers by that sub-section conferred upon the judge who tries the issue.

(2.) The masters may make orders for the attendance of an alleged lunatic at such time and place as the order directs, for examination by the masters or a medical practitioner, and such order may be enforced in the same way as an order of a Judge of the High Court.

Procedure as to Chancery lunatics.

27.—(1.) Subject to rules in lunacy the jurisdiction of the Judge in Lunacy as regards administration and management may be exercised by the masters, and every order of a master in that behalf shall take effect unless annulled or varied by the Judge in Lunacy.

(2.) The power to make rules under section three hundred and thirty-eight, sub-section (2), of the principal Act shall extend to all applications under the principal Act and this Act, and also to applications in the Chancery Division of the High Court in cases where such applications are also made under the principal Act.

(3.) The power conferred by section one hundred and forty-eight of the principal Act to make rules fixing per-centage and fees shall be deemed to extend to all proceedings under the principal Act or this Act, whether relating to lunatics so found by inquisition or to any other person in relation to whom or to whose property an order under the said Acts has been or may be made. Provided that in the case of lunatics under the protection of the Judge in Lunacy by virtue of the transmission of the record of an inquisition from Ireland and its entry of record in the High Court, and in the case of persons residing out of England and declared lunatic according to the laws of their place of residence, no per-centage shall be levied except upon income arising from property within the jurisdiction of the Judge in Lunacy and administered under his direction.

(4.) The provisions of section one hundred and sixteen, sub-section two, of the principal Act shall apply to the persons named in sub-section one (*d.*) of the same section though not lunatics.

Definition of seised and possessed.

28. In the principal Act, the word "seised" shall include any vested estate for life or of a greater description, and shall extend to estates at law and in equity in possession or in futurity in any lands; and the word "possessed" shall include any vested estate less than a life estate at law or in equity in possession or in expectancy in any lands.

Repeal.

29. The enactments in the schedule are hereby repealed.

Section 29.

THE SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
53 & 54 Vict. c. 5. -	The Lunacy Act, 1890.	Section nine, sub-section one, from "having" to the end of the sub-section. Section ten, in sub-section one the words "within the county "and borough respectively"

Session and Chapter.	Short Title.	Extent of Repeal.
53 & 54 Vict. c. 5.—*cont.*		and in sub-section four the words "within the same" occurring twice. Section thirteen, sub-section two, from "within" to "jurisdiction." Section twenty-four, sub-section six, from "that a pauper" to "asylum" where that word next occurs. Section sixty-two. Section ninety-nine the words "with a jury." Section one hundred and forty-nine. Section two hundred and forty-six, from "subject" to "an asylum." Section two hundred and seventy-nine. Section three hundred and thirty-eight, sub-section two, the words "in lunacy." The Second Schedule, Form 13. The Fourth Schedule, the references to "Dover" and "Maidstone" repealed as from the commencement of the Lunacy Act, 1890.

CHAPTER 66.

An Act to establish Local Registries of Titles to Land in Ireland. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Local Registration of Title (Ireland) Act, 1891.

Application of Act.

2. This Act shall not apply to England or Scotland.

Commencement of Act.

3. This Act shall, except as in this Act specially provided, come into operation on the first day of January one thousand eight hundred and ninety-two.

PART I.

ESTABLISHMENT OF CENTRAL AND LOCAL REGISTERS OF OWNERS.

Establishment of registers of owners of land.

4.—(1.) There shall be established and maintained in Ireland, under the registering authorities herein-after mentioned, registers of owners of freehold land, with such additional registers in connexion therewith as are herein-after provided in regard to leaseholds and other subsidiary interests in land.

(2.) For the purposes of such registers there shall be a central office in the city of Dublin (in this Act referred to as "the central office"), and a local office in each county in Ireland (in this Act referred to as "the local office").

(3.) Subject to the provisions of this Act, the central office shall be the sole office for registration as regards land in the county of Dublin and the office for registration as regards such other land as may be prescribed, and each local office shall be the office for registration as regards land in the county at large in which such office is situated, except so far as may be otherwise prescribed; and for such purposes a city or town or county of a city or county of a town shall form part of the county at large within which it, or the greater part of it, as the case may be, is situated.

(4.) The central office shall be under the management and control of an officer, who shall be called the "registrar of titles."

(5.) Each local office shall, subject to the direction and control of the registrar of titles in such matters as shall be prescribed, be under the management and control of the Clerk of the Crown and Peace for the county, or, if the offices of Clerk of the Crown and Clerk of the Peace are not united, of the Clerk of the Crown or Clerk of the Peace, as the Lord Chancellor may direct, but, if such person is not, in the opinion of the Lord Chancellor, qualified to discharge the duties of the office, then such office shall, subject as aforesaid, be under the management and control of such other person, being a solicitor, as shall be appointed by the Lord Chancellor for that purpose.

(6.) Each local office shall be in the office kept by the Clerk of the Crown and Peace for the county pursuant to the provisions of the County Officers and Courts (Ireland) Act, 1877, or at such other place in the county as the Lord Chancellor shall from time to time sanction.

40 & 41 Vict. c. 56.

(7.) The registrar of titles and the clerk of the Crown and Peace, or such other person appointed as aforesaid, shall be the registering authorities for the purposes of this Act, and are respectively in this Act referred to as the "central registering authority" and the "local registering authority," as the case may be, and each of them is in this Act referred to as a "registering authority."

Registrar of titles and other officers.

5.—(1.) The officers attached to the Land Judge who have heretofore acted as officers in the Record of Title Office shall, from and after the commencement of this Act, be attached to the central office; and the Land Judge shall adjust the duties to be performed by the said officers under this Act in such manner as may appear expedient, and shall so arrange the same that some one of the said officers shall be in attendance on every day of the year on which the offices of the Supreme Court of Judicature in Ireland are open; and there shall be paid out of moneys to be provided by Parliament to such officers, or any of them, or to any officer or clerk attached to the Land Judge whose duties shall be increased by the operation of this Act, such sum by way of increased annual salary as the Treasury shall approve on the recommendation of the Land Judge.

(2.) The first registrar of titles shall be the officer who has heretofore acted as principal officer in the Record of Title Office: and every future registrar of titles shall be such barrister or solicitor of at least eight years standing, or such officer being a barrister or solicitor having been attached to the office of the Land Judge for a period of at least eight years, as the Land Judge shall from time to time appoint.

Appointment and remuneration of officers.

6.—(1.) There shall be attached to the central office and to each local office such officers and clerks as the Lord Chancellor, with the concurrence of the Treasury as to number, may from time to time direct, but the Treasury may, with the consent of the Lord Chancellor, grant to the central and local registering authorities such allowances as they may think proper for defraying the expense of necessary clerical assistance.

(2.) If the Lord Chancellor directs the appointment of any officers or clerks in addition to the staff existing and attached to the Land Judge, or being in the office of any clerk of the Crown and Peace, such officers and clerks shall, in the case of the local offices, be appointed in the manner provided by the ninth section of the County Officers and Courts (Ireland) Act, 1877. In the case of the central office, such officers and clerks of the Supreme Court as might, under the Supreme Court of Judicature Act (Ireland), 1877, or otherwise, be required to serve in, or might be assigned to, the Record of Title Office, may, in the like manner, be required to serve in, or be assigned to, the central office, and the central office shall be deemed to be part of the office of the Land Judge, and shall be under his control.

40 & 41 Vict. c. 56.

40 & 41 Vict. c. 57.

(3.) Such salaries and remuneration of officers and clerks, and of any persons who may be appointed local registering authorities by the Lord Chancellor as aforesaid, and such expenses of carrying this Act into effect as may be sanctioned by the Treasury, shall be paid out of moneys to be provided by Parliament.

(4.) The Lord Chancellor, with the concurrence of the Treasury, may appoint any existing officer of the Registry of Deeds, or the clerk of the Registry of Judgments, with the consent of such officer or clerk as the case may be, to be an officer of the central or of any local office, and in the case of an officer of the Registry of Deeds either without ceasing to be an officer thereof or otherwise, and in the case of any officer upon such terms as to existing rights to salary and pension as the Lord Chancellor, with the concurrence of the Treasury, and with the consent of the officer, may by order prescribe.

(5.) Any existing officer of a county court who was appointed before or after the passing of the County Officers and Courts (Ireland) Act, 1877, may, with his own consent, be appointed by the Lord Chancellor to be an officer of any local office, either without ceasing to hold his existing office or otherwise, and upon such terms as to existing rights to salary and pension as the Lord Chancellor, with the concurrence of the Treasury, and with the consent of the officer, may by order prescribe.

40 & 41 Vict. c. 56.

Remuneration of clerks of Crown and Peace.

7. There shall be paid to each Clerk of the Crown and Peace who shall act as a registering authority under this Act, such increase of salary for additional duties imposed on him by this Act, as the Lord Chancellor, with the consent of the Treasury, may direct; but every Clerk of the Crown and Peace, upon whom any additional duties are imposed in consequence of this Act, who was appointed between the passing of the County Officers and Courts (Ireland) Act, 1877, and the passing of this Act, and who elected under the provisions of the sixteenth section of the former Act to continue to practise as a solicitor, may, at any time within three years after the commencement of this Act, declare his election not to continue to practise as a solicitor, and shall thereupon be in the same position with respect to superannuation allowance as he would have been, if he had declared his election not to continue to practise at the time of his appointment.

40 & 41 Vict. c. 56.

Fees to be payable in offices.

8.—(1.) The Land Judge, with the approval of the Lord Chancellor, may, with the consent of the Treasury, fix the fees to be taken in the central and local offices respectively for the purposes of this Act; but in fixing the scale of fees care shall be taken, in the case of land, that such fees shall (so far as conveniently may be) bear a certain proportion to the valuation under the Acts relating to the valuation of rateable property in Ireland of the lands to be affected by the registration, and in the case of charges or burdens, by or under which any sum is or may be charged or secured on land, to the value of the charge or burden at the time of the registration; and such scale shall be altered from time to time in manner aforesaid, whenever the Land Judge shall think it expedient, so as to ensure, so far as possible, that no higher fees shall be authorised to be taken than will produce an annual amount sufficient to discharge the salaries, remuneration, and other expenses payable under and incidental to the working of this Act.

42 & 43 Vict. c. 58.

(2.) The Public Offices Fees Act, 1879, shall apply to fees payable under this Act.

Official seals.

9.—(1.) The central registering authority and each local registering authority shall have a separate official seal.

(2.) Judicial notice shall be taken by all courts of law of the said official seals, and any instrument purporting to be sealed with any such seal shall be admissible in evidence, and, if a copy, shall be admissible in like manner as the original.

Powers of registering authority.

10.—(1.) Subject to general rules the registering authority may, by summons under his seal, require the attendance of all such persons as he shall think fit in relation to the registration of any title.

(2.) He may, by like summons, require any person having the custody of any map, survey, or book made or kept in pursuance of any Act of Parliament to produce the map, survey, or book for inspection.

(3.) He may examine on oath any person appearing before him and administer an oath accordingly.

(4.) He may allow to any person summoned by him the reasonable expenses of his attendance.

(5.) Any expenses allowed in pursuance of this section shall be deemed to be charges incurred in or about proceedings for registration, and may be dealt with in such manner as may be prescribed.

(6.) If any person, after the delivery to him of a summons under this section, or of a copy thereof, and after having had a tender made to him of the expenses, if any, to which he is entitled, wilfully neglects or refuses to attend in pursuance of the summons, or to produce such maps, surveys, books, or other documents as he may be required to produce under this Act, or to answer on oath or otherwise such questions as may be lawfully put to him by the registering authority under the powers of this Act, he shall, on conviction, incur a penalty not exceeding twenty pounds, which may be recovered in a summary manner.

Exercise of powers by registering authorities.

11.—(1.) All the powers and duties of the central registering authority under this Act may be exercised and performed by any other officer or officers in the central office whom the Land Judge shall from time to time nominate; and all the powers and duties of any local registering authority may be exercised and performed by any other officer or officers in the local office whom the Land Judge shall from time to time nominate.

(2.) The central registering authority may sue and be sued by the name of the central registering authority of the land registry of Ireland; and each local registering authority may sue and be sued by the name of the local registering authority of the land registry of Ireland for the county for which he is such authority.

Relations of central and local registering authorities.

12.—(1.) Provision shall be made by general rules for determining the relations between the central registering authority and the several local registering authorities, and the control to be exercised by the central registering authority over each local registering authority, and also for notifying to and recording in the central office registrations made under the provisions of this Act in the several local offices, and for notifying to and recording in the proper local office or offices registrations made in the central office.

(2.) Such rules may provide for the examination in the central office of the title to land for the purpose of first registration to be effected in any local office.

Jurisdiction of High Court and county court.

13.—(1.) The High Court and the county courts respectively shall have jurisdiction for the purposes of this Act, but the jurisdiction of the county court shall be only in such cases as may be prescribed, and the expression "the court" shall mean the High Court or the county court accordingly. In making general rules regard shall be had to the limits of jurisdiction of the county court for the time being.

(2.) Any jurisdiction of the High Court under this Act may be exercised either in open court or in chambers as may be directed by general rules.

(3.) All matters in respect of which jurisdiction is given to the High Court under this Act shall be assigned to the Land Judge.

(4.) Provided that during vacation or during the illness of the Land Judge, or during his absence, or for any other reasonable cause, such matters or any part thereof may be transacted and disposed of by or under the direction of any other Judge of the High Court named for that purpose by the Lord Chancellor.

Appeal and reference to the court.

14.—(1.) Any person aggrieved by an order or decision of a registering authority may appeal to the court in the prescribed manner, and under the prescribed conditions, and the court may annul or confirm, with or without modification, the order or decision of the registering authority.

(2.) Whenever the central registering authority entertains a doubt as to any question of law or of fact arising in the course of registration under this Act, he may make an order referring the question to the court in the prescribed manner, and thereupon such proceedings shall be taken as may be prescribed.

(3.) In any proceeding under this section the court shall, if so requested by the central registering authority, and may in any case, if necessary, appoint a guardian or other person to represent any infant, married woman, idiot, lunatic, person of unsound mind, person absent beyond seas, unborn person, or person as to whom it is not known whether he is alive or dead; and, if satisfied that the interests of any person so represented are sufficiently protected by the representation, may make an order declaring that he shall be conclusively bound by the decision of the court, and thereupon he shall, subject to the right under this Act to appeal on special leave, be bound accordingly, as if he were a party.

(4.) The decision of the court shall be final and conclusive on all the parties except where it shall give special leave to appeal, and except in the case of a decision upon a question of law, in either of which cases an appeal may be brought in the prescribed manner to the Court of Appeal, and that Court may make such order in respect of the matter of the appeal and as to costs as it may think just, and its decision shall be final and conclusive on all the parties.

Enforcement by court of order of registry.

15. If any person disobeys an order of a registering authority, made in pursuance of this Act, the registering authority may certify the disobedience to the court, and thereupon the person guilty of the disobedience may, subject to his right of appeal to the court from such order, be punished by the court as if the order of the registering authority were the order of the court.

Registering authorities to obey orders of courts.

16.—(1.) The several registering authorities shall obey the order of any competent court in relation to any registered land on being served with the order or an office copy thereof.

(2.) A registering authority may, where he considers it necessary, apply in the prescribed manner to the court which has made such order, either to vary the same or to give directions as to the mode in which it is to be obeyed; and thereupon the court, after such notice, if any, as it may direct, may vary such order in such manner, or make such new order, as it may think fit.

Power of court in action for specific performance

17.—(1.) Where an action is instituted for the specific performance of a contract relating to registered land or a registered charge,

the court having cognizance of the action may cause all or any parties who have registered rights in the land or charge, or have entered cautions or inhibitions against the same, to appear in the action, and show cause why the contract should not be specifically performed, and the order of the court in the action shall be binding on those parties or any of them.

(2.) All costs incurred by any parties so appearing in an action to enforce against a vendor specific performance of his contract to sell registered land or a registered charge shall be taxed as between solicitor and client, and be paid by such person as the court shall order.

Record of Title Office.

Abolition of Record of Title Office under 28 & 29 Vict. c. 88.

18.—(1.) No title shall, after the commencement of this Act, be recorded under the Record of Title Act (Ireland), 1865.

(2.) Provision shall be made by general rules for the registration under this Act, without cost to the parties interested, of all titles recorded under the Record of Title Act (Ireland), 1865, and care shall be taken in such rules to protect any rights acquired in pursuance of recording under that Act.

(3.) Until a title recorded under the Record of Title Act (Ireland), 1865, is registered under this Act, the former Act shall apply thereto in the same manner as if this Act had not passed.

(4.) All books, documents, and papers in the possession of the Record of Title office, or of any person by reason of his employment in or in aid of that office, shall be dealt with in such manner as the Land Judge may by order direct, and any person failing to comply with any order of the Land Judge made for the purposes of giving effect to this sub-section may be dealt with by the Land Judge as if he were guilty of contempt of the High Court.

Registry of Deeds.

Land registered under Act to be exempted from registry of deeds.

19.—(1.) Any registered land (including in the word "land" tenements and incorporeal hereditaments) shall, from and after the date of the registration thereof, and so long as it remains so registered, be exempt from the provisions of the Acts relating to the Registry of Deeds, and a deed or other document executed or coming into operation after that date shall not, by reason only of its relating to any such land, be required to be registered in the said registry.

(2.) The registration under this Act of the ownership of a leasehold, or other subsidiary interest in land, shall not have the effect of exempting from the provisions of the Acts relating to the Registry of Deeds any interest in the land other than the interest the ownership of which is registered under this Act.

(3.) The registration under this Act of the ownership of the freehold in land shall not (except as in this Act specially provided) have the effect of exempting from the provisions of the Acts relating to the Registry of Deeds any leasehold interest in the land, whether such leasehold interest is or is not registered as a burden under this Act.

(4.) Where land is registered under this Act a memorial of the registration, in the prescribed form, shall be given to the Registrar of Deeds, who shall forthwith register the same in the Registry of Deeds without any fee or duty being charged for so doing.

(5.) When the registration in the Registry of Deeds of any deed or other document within a certain period or otherwise is required by any Act of Parliament, registration of the title under such deed or other document, within the same period (where registration within a certain period is required under this Act) shall be a compliance with the provisions of such Act.

Provisions for remitting land voluntarily registered to the law of Registry of Deeds.

20. The person registered as full owner of land (including in the word "land," tenements and incorporeal hereditaments), the first registration of which under this Act has been voluntary, may at any time, in the prescribed manner and with the prescribed consent, require the register to be closed in respect of the land; and thereupon a memorial of the closing of the register, in the prescribed form, shall be given to the Registrar of Deeds, who shall forthwith register the same in the Registry of Deeds. Such memorial, when registered, shall be conclusive evidence of the several matters therein contained; and from and after the registration of such memorial the register shall be deemed to be closed as to such lands, but shall for all purposes be deemed to have conferred an indefeasible title upon the person therein described as owner, subject as in the register is mentioned, and the land shall no longer be deemed to be registered land, and shall cease to be exempt from the provisions of the Acts relating to the Registry of Deeds.

Registration of judgment mortgages.

13 & 14 Vict. c. 29.

21.—(1.) From and after the date of the registration of any land (including in the word "land," tenements and incorporeal hereditaments) the registration of the affidavit required by the Act passed in the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter twenty-nine, and the Acts amending the same (in this section referred to as the said Acts), for the purpose of registering a judgment as a mortgage upon the land shall be made in the prescribed manner, and with such entries as may be prescribed.

(2.) Immediately upon such registration all such and the same consequences in all respects shall ensue, and all such and the same rights, powers, and remedies in all respects shall be acquired and possessed by every or any person as would have ensued or been acquired and possessed by or by reason of the registration of such affidavit in the Registry of Deeds pursuant to the provisions of the said Acts, if this Act had not passed.

PART II.

REGISTER OF LANDOWNERS.

Registration when to be compulsory and when voluntary.

22.– (1.) From and after the commencement of this Act the registration of the ownership of freehold land shall be compulsory where the land has been at any time sold and conveyed to or

vested in a purchaser under any of the provisions of the Purchase of Land (Ireland) Acts, and is subject to any charge in respect of an annuity or rentcharge for the repayment of an advance made under any of the said provisions on account of the purchase money. In all other cases first registration under this Act shall be voluntary.

(2.) Provision shall be made by general rules for the registration without any fee being charged therefor, of every person who shall within one year from the commencement of this Act make application for first registration as owner of land the registration of the ownership of which is by this Act declared to be compulsory.

(3.) Subject to the provisions of this Act all registration which is by this Act declared to be compulsory, and all registration of owners of statutory tenancies on the register of leaseholders shall be made in the proper local office, and all other registration of persons as owners of land under this Act shall be made in such office as shall be prescribed.

Compulsory registration of land sold under Purchase of Land (Ireland) Acts.

23.—(1.) In the case of any land the registration of the ownership of which is by this Act declared to be compulsory,—

(*a.*) Where the sale has been made before the commencement of this Act the Land Commission may at any time, by notice in the prescribed manner, require the owner to register his ownership of the land under this Act, and thereupon, if the owner shall not within the prescribed time make application to be registered accordingly, the Land Commission may make application in the prescribed manner to have the ownership of the land registered under this Act.

(*b.*) Where the sale is made after the commencement of this Act the Land Commission or the Land Judge, as the case may be, shall forthwith, in order that the purchaser may be registered under this Act as owner of the land, transmit to the registering authority a notice in the prescribed form; and thereupon such registering authority shall, subject to the provisions of this Act and to general rules, proceed to register the purchaser accordingly.

(2.) Provision shall be made by general rules, in the event of the original purchaser having ceased by death or otherwise to be the owner of the land before such registration, for ascertaining the person who has become the owner of the land, and for his being registered under this Act as such.

(3.) For the purpose of any such registration as aforesaid, the registering authority shall have all the same and the like jurisdiction and powers in reference to compelling the disclosure of instruments and facts affecting the title, and in reference to the production of deeds and in reference to all other matters as if the purchaser or other owner, as the case may be, had made an application to be registered as owner of the land under this Act.

Landlord selling part of an estate may obtain certificate of title to remainder.

24.—(1.) Where it is proposed to sell any land under the provisions of any of the Purchase of Land (Ireland) Acts, and such land is held under a title common to other land not proposed to be sold, the Land Commission shall, if so required by the vendor,

investigate the title to the whole or any part of such last-mentioned land, and shall issue in the prescribed manner a certificate of the title thereto, and in the event of an application being made for first registration by the owner of such last-mentioned land the registering authority may accept such certificate as evidence of the title of the person named therein as owner, as of the date of its execution.

(2.) In any case in which land has been sold to a tenant through the Land Commission, and the title to other land held under a common title has been investigated at the same time by the Land Commission, it shall be lawful for the vendor or his successor in title to apply to the Land Commission to issue to him a certificate in the prescribed form of the title of the vendor to such last-mentioned land, and if the Land Commission are of opinion that such title has been sufficiently investigated, they may, if they think fit, issue such a certificate, and such certificate shall have the same effect in all respects as a certificate issued under the preceding sub-section.

Where registration of ownership compulsory, no title acquired by transfer until registered.

25. The following provisions shall apply to all freehold land the registration of the ownership of which is by this Act declared to be compulsory:—

(1.) A person shall not, under any conveyance executed on or after the commencement of this Act, acquire any estate in any such land until he is registered as owner of the land, but on being so registered his title shall relate back to the date of the execution of the conveyance, and any dealings with the land before the registration shall have effect accordingly: Provided that the foregoing provisions shall not apply to the conveyance of any estate expectant on an estate of freehold, whether the estate so expectant be in reversion or in remainder, or to any conveyance by way of mortgage or of transfer of mortgage.

(2.) On the death on or after the commencement of this Act of any owner of such land, when succession duty is paid by or on behalf of any person entitled to be registered as owner of the land or any part thereof, the Commissioners of Inland Revenue shall be entitled, and they are hereby required, to demand payment from such person of the amount of the fee which would be necessary to be paid for the registration of such person as owner of the land, and upon receipt of such payment they shall pay such amount to the central registering authority, and shall signify to such registering authority the name of the person and the land in respect of which the duty was paid, and thereupon such registering authority shall give such person notice that on production of the proper evidence he may be registered as owner of the land without further payment.

Application for first registration.

26. An application for first registration as an owner of land may be made by such persons and shall, subject to the provisions of this Act, be made in such manner, and subject to such notice, and shall be supported by such examination or evidence of the title to the land, as may be prescribed.

Subsequent registrations to be made in office of first registration.

27.—(1.) Subject to the provisions of this Act, every application for registration of a person as owner of land, or of any charge or burden, or of any right affecting, or of any leasehold estate derived out of, registered land shall be made in the office in which the first registration of ownership of the land shall have been made; and the register as regards any such land, charge, burden, right, or estate, shall mean the register kept in the office in which such first registration shall have been made.

(2.) Provision may be made by general rules for the transfer of the registration of any land from a local to the central office, or from the central to a local office, on the application of the owner, and with the prescribed consents, and after such transfer has been effected in the prescribed manner the register as regards any such land shall mean the register kept in the office to which registration has been so transferred.

Classes of owners who may be registered.

28. A person may be registered either—

(1.) as full owner of land, that is to say, as tenant in fee simple thereof; or

(2.) in the case of settled land, as limited owner of the land, that is to say, as tenant in tail or tenant for life thereof, or as having under the Settled Land Acts, 1882 to 1889, the powers of a tenant for life thereof.

Provisions for general note on the register in regard to burdens arising from previous interest of purchasing tenant.

29.—(1.) Before the first registration of any person as owner of land purchased under any of the provisions of the Purchase of Land (Ireland) Acts, the registering authority shall, if so required by the applicant for registration, ascertain and enter on the register in the prescribed manner all burdens which, upon the prescribed examination of title, appear to affect the land, except those to which, though not registered, all registered land is declared by this Act to be subject.

(2.) Where the applicant for such registration has not so required, the registering authority may, if he shall think fit, dispense with the ascertainment of such of the burdens affecting the land as have arisen from the interest vested in the purchaser by the conveyance or vesting order (as the case may be) being deemed to be a graft upon his previous interest in the land or as have arisen in any other manner from the existence of such previous interest; but, where the registering authority so dispenses with the ascertainment of such burdens, he shall ascertain and enter on the register in the prescribed manner all other burdens which upon the prescribed examination appear to affect the land, except those to which, though not registered, all registered land is declared by this Act to be subject.

(3.) Where the registering authority dispenses with the ascertainment of burdens under the provisions of this section, he shall note on the register in the prescribed manner that the registration is made subject to any rights or equities arising from the interest vested in the purchaser by the conveyance or vesting order (as the case may be) being deemed to be a graft upon his previous interest in the land or arising in any other manner from the existence of

such previous interest; and, upon such note being made, such (if any) of the said rights or equities which would have affected the land if registration had not been made under this Act, shall have full force and effect notwithstanding the registration; and the provisions as to burdens, to which, though not registered, all registered land is declared by this Act to be subject, shall apply to such rights and equities (if any).

(4.) The registered owner may at any time apply to the registering authority in the prescribed manner to ascertain and enter on the register any burdens the ascertainment of which may have been dispensed with under the provisions of this section, and the registering authority shall thereupon ascertain and enter such burdens on the register, and shall cancel such note as aforesaid, the entry whereof shall thenceforth be of no force or effect.

Effect of registration.

30.—(1.) On the registration of a person as full owner of land, an estate in fee simple in the land shall be vested in the person so registered.

(2.) On the registration of a person as limited owner of land, an estate in fee simple in the land shall be vested in the person so registered and the other persons entitled to the several estates and interests comprised in the subject of the settlement collectively, according to such estates and interests respectively.

(3.) In either case the estate of the registered owner shall be subject as follows:—

(*a.*) to the burdens, if any, registered as affecting the land; and

(*b.*) except so far as the contrary is expressed in the register, to the burdens to which, though not registered, all registered land is declared by this Act to be subject,

but shall be free from all other rights, including rights of Her Majesty, Her heirs and successors.

(4.) Provided that if the registered owner holds the land as trustee nothing in this section shall affect his duties or liabilities as such trustee.

(5.) A person may be registered as owner of freehold land if, on the prescribed examination of title, it appears to the registering authority that the person or persons on whom the registration will, according to the foregoing provisions of this section, confer an estate in fee simple in the land, is or are justly entitled thereto, subject only to such burdens, duties, and liabilities as aforesaid.

(6.) On an application for registration as owner of land, the applicant shall disclose to the registering authority all burdens which to his knowledge affect the land, and the registering authority shall enter on the register all burdens which appear on examination of the title to affect the land, except those to which, though not registered, all registered land is declared by this Act to be subject.

(7.) Where a person claims to be registered as owner of land on the ground that he has contracted to buy such land, but such land has not been conveyed to him, he shall not be so registered except with the consent of his vendor.

Land certificate.

31. On registration of a person as owner of land, the registering authority shall deliver to him a certificate in the prescribed form (in this Act referred to as a "land certificate") of his title to the land.

Rectification in pursuance of order of exchange.

32. Where an order has been made by a court of competent jurisdiction for the exchange of registered land the registering authority shall rectify the register in such manner as may be necessary to give effect to the order.

Fraudulent dispositions and entries.

33.—(1.) Subject to the provisions of this Act with respect to registered dispositions for valuable consideration, any disposition of land or of a charge on land which if unregistered would be fraudulent and void, shall, notwithstanding registration, be fraudulent and void in like manner.

(2.) Any entry, erasure, or alteration in the register made by fraud shall be void as between all parties or privies to the fraud.

Conclusiveness of register.

34.—(1.) The register shall be conclusive evidence of the title of the owner to the land as appearing thereon; and such title shall not, in the absence of actual fraud, be in any way affected in consequence of such owner having notice of any deed, document, or matter relating to the land; but nothing in this Act shall interfere with the jurisdiction of any court of competent jurisdiction based on the ground of actual fraud or mistake, and any such court may upon such ground make an order directing the register to be rectified in such manner and on such terms as it thinks just.

(2.) Where any error occurs in the registration of the ownership of land (whether of misstatement, misdescription, omission or otherwise, and whether in the register or in any map attached thereto), the Court, upon such application and in such manner as may be prescribed and after such notice, if any, as it may direct, may, if in the opinion of the Court such error can be corrected without injury to any person, order such error to be corrected upon such terms as to costs or otherwise as it may think fit; and thereupon the registering authority shall rectify the register in such manner as may be necessary to give effect to the order; and, if the error also occurs in the land certificate delivered on the occasion of the registration, shall issue a new land certificate in the prescribed form and cancel the old certificate, and for that purpose may order any person in whose possession such last-mentioned certificate is to bring the same to the office and deliver it to the registering authority; but such delivery of a new certificate shall be without prejudice to any claim of lien or other claims thereon, and shall be on such terms as to costs as may seem just.

Transfers and Transmissions.

Transfer of registered land.

35.—(1.) A registered owner of land may transfer the land or any part thereof, and the transferee shall be registered as owner of the land transferred: Provided that a limited owner shall not be

empowered without the consent or order now required by law to transfer a principal mansion house or the demesnes thereof or other lands usually occupied therewith, and that a transferee from a limited owner shall not be registered as owner except on evidence that the purchase money (if any) has been paid either to the persons entered on the register as trustees or into court.

(2.) There shall be executed on the transfer an instrument in the prescribed form, or in such other form as may appear to the registering authority to be sufficient to convey the land, but until the transferee is registered as owner of the land transferred, that instrument shall not confer on the transferee any estate in the lands.

(3.) On registration of the transferee, the registering authority shall deliver to him a land certificate.

(4.) Where part only of the land is transferred, the registering authority shall either allow the transferor to retain his land certificate with an entry therein as to the part transferred, or, if the transferor shall so request, deliver to him a new land certificate in respect of the land retained by him.

Effect of transfer.

36.—(1.) On the registration of a transferee of land as full owner of the land, the instrument of transfer shall operate as a conveyance by deed within the meaning of the Conveyancing Acts, and there shall be vested in the registered transferee an estate in fee simple in the land transferred, subject to such of the following burdens as for the time being subsist in reference to the land, namely,—

(*a.*) The burdens (if any) registered as affecting the land; and

(*b.*) The burdens to which, though not registered, all registered land is declared by this Act to be subject;

but, except as is mentioned in this section, free from all other rights, including rights of Her Majesty, Her heirs and successors:

Provided that where the transfer is made without valuable consideration, it shall, so far as concerns the transferee and persons claiming under him otherwise than for valuable consideration, be subject to all unregistered rights, subject to which the transferor held the land transferred.

(2.) On the registration of a transferee of land as limited owner of the land under a settlement, the registration shall have the same effect as in the case of a transferee registered as full owner, except that the estate in fee simple conferred by the registration shall vest in the transferee and the other persons entitled to the several estates and interests comprised in the subject of the settlement collectively, according to such estates and interests respectively.

Transmission of registered land from limited owner; and on death.

37. With respect to the transmission of registered land the following provisions shall have effect:—

(1.) Where land of which the owner is registered as limited owner under a settlement passes to another person on the determination of the estate of the limited owner, the person to whom the land so passes may be entered in the register as owner of the land, and the registering authority on his

application or on that of the trustees of the settlement, if any, shall register him accordingly as full owner or as limited owner as the case may be.

(2.) On the death of a sole registered full owner of land, or of the survivor of several registered full owners of land, not being registered as tenants in common, such person shall be registered as full owner in the place of the deceased owner as may, on the application in the prescribed manner of any person interested in the land, be appointed by the registering authority, regard being had to the rights of the several persons interested in the land, subject to an appeal to the Court in the prescribed manner by any person aggrieved by any order of the registering authority under this section.

Saving of consent to alienation, &c.

38.—(1.) Nothing in this Act shall affect the provisions of any Act of Parliament by which the alienation, assignment, subdivision, or sub-letting of any land is prohibited or in any way restricted.

(2.) It shall be the duty of the registering authority to note upon the register in the prescribed manner the prohibitive or restrictive provisions of any such Act of Parliament; but such provisions shall be deemed to be burdens to which, though not registered, all registered land is by this Act declared to be subject.

Defeasance of registered owner's estate.

39. In case of the defeasance of the estate of a registered owner of land, that is to say, where

(*a.*) under a power of sale conferred by a mortgage effected before the first registration of the land; or

(*b.*) under a deed poll executed in pursuance of the Lands Clauses Acts or in pursuance of any statutory provision to the same effect; or

(*c.*) under a sale in execution of any judgment, order, decree, or process of a court; or

(*d.*) under a power of appointment; or

(*e.*) under a vesting order; or

(*f.*) in any other case not provided for by this Act, and which may be prescribed;

the ownership of the land passes to another person otherwise than by transfer from the registered owner or from his legal representatives, then, subject to general rules, the registering authority shall, on the application of that person, and on production of the prescribed evidence, register him as owner of the land in the prescribed manner.

Provided that, unless the registering authority is satisfied that the application is made with the concurrence of the registered owner, or, in case of his death, if he is full owner, of his legal representatives, and if he is not full owner, of such persons as may be prescribed, the registering authority shall, subject to general rules, before registering the applicant as owner of the land, give notice of the application to the registered owner, or, in case of his death, if he is full owner, to his legal representatives, and if he is not full owner, to such persons as may be prescribed; and the registering authority may, if he thinks fit, decline to register the

applicant as owner of the land, except in pursuance of an order of the court.

Charges.

Creation and effect of charge on registered land.

40.—(1.) A registered owner of land may, subject to the provisions of this Act, charge the land with the payment of money either with or without interest, and either by way of annuity or otherwise, and the owner of the charge shall be registered as such.

(2.) There shall be executed on the creation of a charge, otherwise than by will, an instrument of charge in the prescribed form, or in such other form as may appear to the registering authority to be sufficient to charge the land, but until the owner of the charge is registered as such, that instrument shall not confer on the owner of the charge any interest in the land.

(3.) On registration of the owner of the charge the registering authority shall deliver to him a certificate of charge in the prescribed form.

(4.) On registration of the owner of a charge on land for the payment of any principal sum of money with or without interest, the instrument of charge shall operate as a mortgage by deed within the meaning of the Conveyancing Acts, 1881, 1882, and the registered owner of the charge shall, for the purpose of enforcing his charge, have all the rights and powers of a mortgagee under a mortgage by deed.

(5.) On registration of the owner of a charge by way of annuity, the owner of the charge shall have such remedies for recovering and compelling payment of the annuity as are described in section forty-four of the Conveyancing and Law of Property Act, 1881.

44 & 45 Vict. c. 41.

(6.) If the registered owner of a charge on land sells the land in pursuance of any of his powers, his transferee shall be registered as owner of the land, and thereupon the registration shall have the same effect as registration on a transfer for valuable consideration by a registered owner.

(7.) When it is expressed in the instrument of charge that any person covenants for payment of the principal sum charged, there shall be implied a covenant by that person with the registered owner for the time being of the charge to pay the sum charged and interest (if any) thereon at the time and rate specified in the certificate of charge, and also a covenant, if the sum or any part thereof is unpaid at the time so specified, to pay interest half-yearly at the specified rate on so much of the principal sum as for the time being remains unpaid.

Transfer of charge.

41.—(1.) The registered owner of a charge may transfer the charge to another person as owner thereof, and the transferee shall be registered as owner of the charge.

(2.) There shall be executed on the transfer of a charge an instrument of transfer in the prescribed form, or in such other form as may appear to the registering authority to be sufficient to transfer the charge, but until the transferee is registered as owner of the charge, that instrument shall not confer on the transferee any interest in the charge.

(3.) The registering authority shall deliver to the registered transferee a certificate of charge in the prescribed form.

(4.) On registration of the transferee of a charge, the instrument of transfer shall operate as a conveyance by deed within the meaning of the Conveyancing Acts, 1881, 1882, and the transferee shall

(*a.*) have the same title to the charge as a registered transferee of land under this Act has to the land, under a transfer for valuable consideration or without valuable consideration, as the case may be; and

(*b.*) have for enforcing his charge the same rights and powers in respect of the land as if the charge had been originally created in his favour.

Discharge of registered charge.

42.—(1.) The registering authority shall at the request of the registered owner of a charge on land, or on proof in such manner as is herein-after mentioned, or in such other manner as may be prescribed, of the satisfaction of a charge or of any part of a charge on land, or of the release of any part of registered land from a registered charge, note the satisfaction or release on the register, and thereupon the charge shall to the extent so noted cease to operate.

(2.) For the purposes of this section, the receipt of the registered owner for the time being of a charge shall be sufficient proof of the satisfaction of the charge, or of any part of the charge, and a release signed by the registered owner for the time being of a charge shall be sufficient proof of the release of any part of registered land subject to that charge.

Transmission, &c. of charges.

43. The provisions of this Act with respect to the transmission of registered land and the defeasance of the estate of the registered owner shall apply, with the necessary modifications, to transmissions and defeasances in the case of registered charges on land.

Other Interests in Registered Land.

Creation and effect of subordinate rights and interests.

44.—(1.) Subject to the provisions of this Act, the registered owner of land shall alone be entitled to transfer or charge the land by registered disposition, and the registered owner of a charge shall alone be entitled to transfer the charge by registered disposition.

(2.) Nothing in this Act shall prevent a person from creating any right in or over any registered land or registered charge, but any right created or arising in relation to registered land after the first registration of the land shall not affect a registered transferee of the land or charge for valuable consideration, or the registered owner of a charge created on the land for valuable consideration, unless that right is either—

(*a.*) Registered as a burden affecting the land; or

(*b.*) One of the burdens to which, though not registered, all registered land is by this Act declared to be subject.

(3.) Any right in or over registered land may be protected by means of such cautions and inhibitions as are in this Act in that behalf mentioned.

Burdens which may be registered as affecting registered land.

45.—(1.) There may be registered as affecting registered land any of the following burdens, namely:—

(*a.*) Any incumbrance on the land existing at the time of the first registration of the land;

(*b.*) Any charge on the land created in pursuance of the foregoing provisions of this Act after the first registration of the land;

(*c.*) Any rentcharge (not being a rentcharge to which, though not registered, all registered land is by this Act declared to be subject) or fee farm or other perpetual rent issuing out of the land;

(*d.*) Any power to charge land with payment of money, whether created or arising before or after the first registration of the land;

(*e.*) Any trust for securing money created or arising after the first registration of the land;

(*f.*) Any lien on the land for unpaid purchase money;

(*g.*) Any lease where the term granted is for a life or lives, or is determinable on a life or lives, or exceeds thirty-one years, or where the term is for any less estate but the occupation is not in accordance with the lease;

(*h.*) Any writ, order, delivery in execution, or other process of a court, whether existing before or after the first registration of the land;

(*i.*) Any judgment mortgage, recognizance, Crown bond, inquisition, or lis pendens, whether existing before or after the first registration of the land;

(*j.*) Any easement, profit à prendre, or mining right created by express grant or reservation after the first registration of the land;

(*k.*) Any covenant or condition relating to the use or enjoyment of the land or of any specified portion thereof;

(*l.*) Any estate in dower;

(*m.*) Any such other matter as may be prescribed.

(2.) A burden may be registered under this section on the application of the registered owner of the land, or of any person entitled to or interested in the burden, but if the application is made without the concurrence of the registered owner of the land or such other concurrence as may be prescribed, the burden shall not be registered except in pursuance of an order of the court.

(3.) Any covenant or condition registered under this section may be modified or discharged by order of the court on proof to the satisfaction of the court that the covenant or condition does not run with the land, or is not capable of being enforced against the owner of the land, or that the modification or discharge thereof will be beneficial to the persons principally interested in the enforcement thereof.

(4.) The registering authority may, on the prescribed evidence and subject to the prescribed conditions, modify or cancel any entry under this section of a burden not being such a covenant or condition as aforesaid.

Effect of registration as a burden under this Act.

46.—(1.) Registration of a burden under this Act shall have the same effect as, and make unnecessary, registration of any deed or document relating to such burden, in pursuance of any other public general or local and personal Act of Parliament or of any Provisional Order confirmed by Parliament, but in the case of a leasehold the ownership of which is not registered in any subsidiary register under this Act, such exemption from the necessity of registration in pursuance of the Acts relating to the Registry of Deeds shall extend only to the lease itself, and not to any other deed or document relating to the title to the leasehold.

(2.) Registration of a judgment as a burden under this Act shall have the same effect as and make unnecessary, for any purpose as regards the land, the registration, re-registration, or re-docketing of the judgment in the Registry of Judgments.

(3.) Registration of a recognizance, Crown bond, judgment at the suit of the Crown, statute, inquisition, or acceptance of office as a burden under this Act shall have the same effect as and make unnecessary, for any purpose as regards the land, the registration of such recognizance, bond, judgment, statute, inquisition, or acceptance of office in the Registry of Judgments; but every recognizance, bond, judgment, statute, inquisition, and acceptance of office, which before the passing of this Act required to be registered in the said office, shall after the commencement of this Act be registered in the prescribed manner in the register under this Act, and no such recognizance, bond, judgment, statute, inquisition, or acceptance of office shall, after the expiration of five years from the date of such registry, affect any registered land as to purchasers, mortgagees, or creditors, unless and until it shall be re-registered in the prescribed manner in the register under this Act within five years before the execution of the conveyance, settlement, mortgage, lease, or other instrument vesting or transferring the legal or equitable right to the estate or interest in or to any such purchaser or mortgagee for valuable consideration, or as to creditors within five years before the right of such creditor accrued, and so, toties quoties, at the expiration of every succeeding five years.

Burdens which are without registration to affect registered land.

47. Subject to the first proviso in this section contained, all registered land shall be subject to such of the following burdens as for the time being affect the land, whether those burdens are or are not registered, namely—

(*a.*) Succession duty, crown rents, quit-rents, tithe rentcharges, and payments in lieu of tithe or tithe rentcharge;

(*b.*) Land improvement charges and drainage charges;

(*c.*) Annuities or rentcharges for the repayment of advances made under the provisions of any of the Purchase of Land (Ireland) Acts on account of purchase money;

(*d.*) Annuities charged under the provisions of section twenty-seven of the Landlord and Tenant (Ireland) Act, 1870; 33 & 34 Vict. c. 46.

(*e.*) Rights of the public or of any class of the public;

(*f.*) Customary rights, franchises, seigniorial rights, and liabilities arising from tenure;

(*g.*) Easements and profits á prendre, unless they are respectively created by express grant or reservation after the first registration of the land;

(*h.*) Tenancies created for any term not exceeding thirty-one years, or for any less estate, in cases where there is an occupation under such tenancies; and

(*i.*) Statutory tenancies;

Provided as follows:

(i.) Where it is proved to the satisfaction of the registering authority that any land registered or about to be registered is exempt from, or has ceased to be subject to, succession duty, crown rent, quit-rent, tithe rentcharge, payments in lieu of tithe or tithe rentcharge, land improvement charge, drainage charge, or annuity or rentcharge for the repayment of any advance made on account of purchase money as herein-before is mentioned, the authority may enter on the register notice of the fact; and

(ii.) Where the existence of any of the burdens in this section mentioned is proved to the satisfaction of the registering authority, the authority may, with the consent of the applicant or registered owner, or in pursuance of an order of the court, enter notice thereof on the register.

Mines, minerals, and mining rights.

48.—(1.) A person may be registered as owner of land with or without all or any of the mines and minerals therein, or as owner of any mines and minerals: Provided that a person registered as owner of land shall not as such be registered as owner of the mines and minerals therein.

(2.) Where a person is registered as owner of land, but the registration does not extend to all the mines and minerals therein, all such powers of working, way leaves or rights of way, rights of water and drainage, and other powers, easements, rights and privileges for or incident to or connected with mining purposes, as are for the time being subsisting over the land, and are not created by express grant or reservation after the first registration of the land, shall be, though not registered, burdens on the land.

Priority of registered burdens.

49. Subject to any entry to the contrary on the register, burdens which are registered as affecting the same land, and which if unregistered would rank in priority according to the date of their creation, shall, if created or arising since the first registration of the land, rank according to the order in which they are entered on the register, and not according to the order in which they are created or arise, and shall rank in priority to any other burden affecting the land and created or arising since the first registration of the land, not being a burden to which, though not registered, all registered land is by this Act declared to be subject.

Power of charging to be exercised

50. Where a power to charge registered land, or a trust for securing money on registered land, is registered as a burden on the

land, it may be exercised or executed by the creation of a registered charge and not otherwise, and the person empowered under any such power or trust to charge the land with the payment of any money shall have the same power to create a registered charge on the land for that money as if he were the registered owner of the land, and the charge shall be entered in its proper priority. by registered charge.

51.—(1.) Where a person has under or by virtue of any public general or local and personal Act of Parliament, or of any provisional order confirmed by Parliament, a charge on registered land for the payment of any money, or a power to charge registered land with the payment of any money, he shall have the same power to create a registered charge on the land for that money as if he were the registered owner of the land. Powers with respect to statutory charges.

(2.) Registration of a charge under this section shall have the same effect as, and make unnecessary, registration thereof in pursuance of any other Act of Parliament or of any provisional order confirmed by Parliament.

52. A right to be registered as the owner of any registered land in derogation of the title of the registered owner shall not be acquired by any mere possession, however long, commencing after the first registration of the land, but where any person but for the provisions of this Act would have obtained a title by mere possession to any registered land, he may apply to the court in the prescribed manner for an order declaring his title to such land, and the court, if satisfied that such title would have been acquired but for the provisions of this Act, may make an order declaring such title, and ordering the register to be rectified in such manner as it thinks just. No acquisition of title by mere adverse possession without order of court.

Register of Leaseholders.

53.—(1.) There shall be maintained a separate register of leaseholders, and the provisions of this Act with respect to the registration of an owner of freehold land, to the transfer and transmission of such land, to defeasances of estates therein, and to charges on and other dealings with such land, including the provisions as to compulsory registration in the case of land sold under the Purchase of Land (Ireland) Acts, shall apply to an owner of a leasehold estate derived immediately or mediately out of freehold land, with such modifications as may be prescribed for the purpose of adapting those provisions to the case of leaseholders, and a leaseholder registered in pursuance of this Act shall, for the purposes of such register of leaseholders, be deemed an owner of land within the meaning of this Act, but the title conferred upon a leaseholder registered in pursuance of this Act shall be subject to all the covenants and conditions of the lease under which the leaseholder holds, and shall not extend to the title of the lessor unless the court having in the prescribed manner investigated the title of the lessor to make the lease shall direct an official note to be entered on the register of leaseholders to the effect that the title of Registry of leaseholders.

the lessor to make the lease has been so investigated and found to be good and valid; and in such case the validity of the lease shall not be afterwards impeached on any ground whatever.

(2.) For the purposes of this section—

(*a.*) The expression "leaseholder" shall include an under leaseholder;

(*b.*) The expression "leasehold estate" shall mean an estate for a term of years of which more than twenty-one are unexpired at the date of registration, not being a term for securing money, with or without a covenant for renewal, and shall include an estate held at a rent under a lease for a life or lives, or determinable on a life or lives and also a statutory tenancy;

(*c.*) A person holding land at a rent under a lease for a life or lives, or determinable on a life or lives, with or without a covenant for renewal, shall be deemed to be a leaseholder and not a freeholder; and

(*d.*) Where a lease of land is converted under the provisions of any Act into a fee farm grant or grant in perpetuity the registering authority shall note on the register in the prescribed manner the fact of such conversion, and provision shall be made by general rules for the transfer, on the prescribed examination of title, of land from the register of leaseholders to the register of owners of freehold land, but, until such transfer is made, the registered leaseholder shall not, under the provisions of this Act, have any further or other title to the land than he would have had if the lease had not been so converted.

Subsidiary Registers.

Subsidiary registers of rights.

54.—(1.) Provision may from time to time be made by general rules for registering the owner of any of the following rights where the title to any such right is not otherwise registered under this Act, namely—

(*a.*) any right which may be registered as a burden affecting registered land; and

(*b.*) any right to any tithe rentcharge, tithes impropriate, or other incorporeal hereditaments of freehold tenure enjoyed in gross, which is declared by this Act to be, though not registered, a burden on registered land,

and for applying the provisions of this Act with respect to the registration of the title to land or charges to the registration of the owner of rights capable of registration in pursuance of this section either without modification or with such modification as may be provided by the rules.

(2.) Nothing in this Act or in any rules under this Act shall make the first registration of any person under this section compulsory.

Boundaries.

Description of registered land.

55. Registered land shall be described by the names of the denominations on the ordnance maps in which the lands are included, or by reference to such maps, in such manner as the registering authority thinks best calculated to secure accuracy, but, except as provided by this Act, the description of the land in the register or on such maps shall not be conclusive as to the boundaries or extent of the land.

Ordnance maps to be kept in registry offices.

56. There shall be kept in the central office the last revised Ordnance maps for the whole of Ireland, and in each local office such maps for the county in which such office is situated. Provisions may be made by general rules for marking or defining on such maps in the prescribed manner the lands the title to which has been registered under this Act, and for reference in the register to such maps, and such maps shall be open to public inspection at such times, in such manner, and upon such terms as shall be prescribed.

Entry of boundaries in certain cases.

33 & 34 Vict. c. 46.

57. Where the boundaries of any registered land have been ascertained and defined by any conveyance executed by any of the Commissioners for Sale of Incumbered Estates in Ireland, or of the judges of the Landed Estates Court, or of the Land Judges, under the provisions of any of the Landed Estates Court Acts, or of the Landlord and Tenant (Ireland) Act, 1870, or any Act amending the same, or by any conveyance or vesting order executed or made by the Land Commission under any of the provisions of the Purchase of Land (Ireland) Acts, in every such case the registering authority may, if he thinks fit, after the prescribed notices, enter on the register as conclusive such boundaries, and they shall thereupon be conclusive upon all parties.

Entry of boundaries by agreement.

58.—(1.) The registering authority may at any time, on the application of the registered owners of adjoining lands, or of the registered owner of land and an unregistered owner of adjoining land, and on the prescribed conditions being complied with, settle and enter on the register as conclusive the boundaries between those lands or any parts thereof, with such alterations, if any, as may from time to time be agreed upon.

(2.) An entry in pursuance of this section shall be conclusive only as between the parties to the application and their respective successors in interest, and shall not operate to confirm the title to the lands the boundaries whereof are settled.

Settlement of boundaries on transfer.

59.—(1.) On the transfer of part of any registered land, the registering authority, on the prescribed conditions being complied with, may enter on the register as conclusive the boundaries between the part transferred and the part not transferred.

(2.) If on any transfer of registered land any question arises as to the boundaries or extent of the land transferred, the registering authority shall, on the application of the transferor or transferee, have jurisdiction to decide the question as between them, and for

that purpose may, if it seems expedient, adopt the decision of any person agreed on by them or appointed by the registering authority.

Meaning of owner in regard to boundaries.

60. For the purposes of the provisions of this Act with respect to boundaries, the owner of unregistered land is the person who is in possession thereof claiming to be entitled to the first estate of freehold therein, or a receiver over such estate appointed by a court of competent jurisdiction, and acting under the order of such court.

PART III.

FURTHER PROVISIONS AS TO REGISTRATION.

Proceedings on or before Registration.

Caution against first registration of land.

61.—(1.) Any person claiming such an interest in unregistered land as entitles him to object to a disposition thereof being made without his consent, or claiming to be an incumbrancer on unregistered land, may, if claiming otherwise than under an instrument registered in the Registry of Deeds, on producing an affidavit in the prescribed form of his interest, lodge a caution with the registering authority to the effect that the cautioner is entitled to notice of any application that may be made for registration of an owner of the land.

(2.) Thereupon an owner of the land shall not be registered until notice has been served on the cautioner to appear and oppose, if he thinks fit, the registration, and the prescribed time has elapsed since the date of the service of the notice, or the cautioner has entered an appearance, whichever first happens.

(3.) If any person lodges a caution under this section without reasonable cause, he shall be liable to make compensation, recoverable as a simple contract debt, to any person damaged thereby.

Provision for doubts as to title of registered owner.

62. Subject to general rules the registering authority, where two or more persons are applying to be registered as owner of the same land, may decide the question, subject to appeal, or may refer the parties to the court.

Trusts not to be entered on register.

63. Except as expressly provided by this Act, there shall not be entered on the register or be receivable by the registering authority notice of any trust, implied, express, or constructive.

Undivided shares and co-owners.

64.—(1.) The owner of any one or more undivided shares in land or a charge may be registered with the addition of the prescribed entries in the register for the purpose of showing the share which he holds in the land or charge.

(2.) Two or more persons may, in such manner and subject to such conditions as may be prescribed, be registered as owners of the same land or of a charge on land, and where two or more persons are so registered they shall be deemed to be joint tenants, unless there is an entry in the register to the effect that they are tenants in common.

(3.) On the registration of two or more persons as owners of the same land or of the same charge, an entry may, with their consent, be made on the register, to the effect that when the number of those owners is reduced below a certain specified number, no registered disposition of the land or charge is to be made, except under the order of the court.

(4.) On the registration of two or more persons as owners of the same land or of the same charge, if the registering authority is satisfied that any number of those owners less than the whole are entitled to make a registered disposition of the land or charge, he shall make an entry on his register to that effect, and such number of those owners shall have power to make a registered disposition of the land or charge without an order of the court notwithstanding the foregoing provisions of this section.

Lands of different tenures.

65. If on an application for the registration of an owner of any land it appears to the registering authority that the land comprises land of freehold tenure and also land of a tenure other than freehold, intermixed and undistinguishable, the registering authority may, notwithstanding anything in this Act, register the owner of the land, but shall enter notice on the register of the facts appearing in relation to the tenure of the land, and the tenure of the portion of the land other than freehold shall remain unaffected by the registration; but nothing herein contained shall prevent the owner of such last-mentioned land registering his ownership in the registry of leaseholders.

Discovery of instruments and facts affecting title.

66.—(1.) Before the completion of the registration of the owner of any land in respect of which an examination of title is required, an affidavit shall be produced to the effect that, to the best of the deponent's knowledge and belief, all deeds, wills, instruments of title, and incumbrances affecting the title applied for, and all facts material to that title, have been disclosed in the course of the examination of title.

(2.) The registering authority may require any person making an affidavit in pursuance of this section to state in his affidavit what means he has had of becoming acquainted with the several matters referred to in this section; and if the registering authority is of opinion that any further or other evidence is necessary or desirable, he may refuse to complete the registration or, as the case may be, to make the entry, until such further or other evidence is produced.

Production of deeds.

67. When an application has been made to register an owner of land, if any person has in his possession or custody any deeds, wills, or instruments affecting the title, to the production of which the applicant or any trustee for him is entitled, the registering authority may require that person to show cause, within a time limited, why he should not produce such deeds, wills, or instruments, or any of them; and, unless cause is shown to the satisfaction of the registering authority within the time limited, he may order that the deeds, wills, or instruments, or any of them, shall

be produced at the expense of the applicant, at such time and place, and in such manner, and on such terms as he thinks fit.

Deeds to be marked with notice of registration.

68. Subject to general rules, the registering authority may, if he thinks fit, before registering a person as owner of land, require him to produce such documents of title as will in the opinion of the registering authority, when stamped or otherwise marked, give notice to any purchaser or other person dealing with the land of the fact of the registration, or otherwise to satisfy the registering authority that the fact of the registration cannot be concealed from a purchaser or other person dealing with the land, and may stamp or otherwise mark any documents so produced.

Cautions and Inhibitions.

Caution against registered dealings.

69.—(1.) Any person entitled to any right in, to, or over registered land or a registered charge, may, on producing an affidavit in the prescribed form of his right, lodge a caution with the registering authority to the effect that no dealing with the land or charge is to be had on the part of the registered owner until notice has been served on the cautioner.

(2.) Thereupon the registering authority shall not, without the consent of the cautioner, register any dealing with the land or charge, as the case may be, until he has served notice on the cautioner, warning him that his caution will lapse after the expiration of the prescribed time.

(3.) After the expiration of that time the caution shall lapse unless an order to the contrary is made by the registering authority, and on the caution so lapsing the land or charge may be dealt with as if the caution had not been lodged.

(4.) If before the expiration of that time the cautioner, or some other person on his behalf appears and gives, if required by the registering authority, sufficient security to indemnify every person against any damage that may be sustained by reason of any dealing with the land or charge being delayed, the registering authority may, if he thinks fit, delay registering any dealing with the land or charge for such further period as he thinks just.

(5.) If any person lodges a caution under this section without reasonable cause, he shall be liable to make compensation, recoverable as a simple contract debt, to any person damaged thereby.

Inhibition of registered dealings.

70.—(1.) The court, or, subject to an appeal to the court, the registering authority, on the application of any person interested in any registered land or charge, may, after directing such inquiries (if any) to be made and notices to be given and hearing such persons as the court or registering authority thinks expedient, make an order or, in the case of an application to the registering authority, an entry, inhibiting for a time, or until the occurrence of an event to be named in the order or entry, or except with the consent of or after notice to some specified person, or generally until further order or entry, any dealing with any registered land or registered charge.

(2.) The registering authority, on the application of the person who has obtained an order of the court under the provisions of this section, shall make an entry of the order on the register in the prescribed manner.

(3.) The court or registering authority may annex to any such order or entry any terms or conditions they think fit, and may discharge any such order or cancel any such entry, and generally may exercise such powers as the justice of the case requires; but nothing herein contained shall empower the registering authority to discharge an order made by the court.

(4.) Provided as follows:—

(*a.*) Nothing in this section shall authorise any restrictions to be imposed on the powers of a limited owner under the Settled Land Acts, 1882 to 1890.

(*b.*) It shall not be the duty of the registering authority to make any such entry, except on such terms as to payment of fees and otherwise as may be prescribed, or to enter any restriction which he thinks unreasonable, or calculated to cause inconvenience.

(*c.*) Any entry made under this section may be withdrawn or modified at the instance of all the persons for the time being appearing by the register to be interested therein.

(*d.*) Where a restriction is imposed under this section on the power to satisfy a registered charge on land the registered owner of the land or other person entitled to redeem the charge may, in such manner as may be directed by rules of court, pay into court the money required to satisfy the charge, and thereupon satisfaction of the charge shall be notified on the register.

Settled Land.

Provisions as to limited owners.

71.—(1.) Where a person is registered as limited owner under a settlement, the names of the trustees of the settlement, if any, shall be entered in a separate column of the register.

(2.) The registration of a person as limited owner of settled land in pursuance of this Act shall not—

(*a.*) confer on the person so registered, as against any person claiming under the settlement, any greater powers of dealing with the land than those of a tenant for life under the Settled Land Acts, 1882 to 1890; nor

(*b.*) confer on the assignee, or trustee in bankruptcy, devisee, or legal personal representative of the limited owner any greater estate or interest than he would otherwise have; nor

(*c.*) take away from any trustee under the settlement any powers of dealing with the land which he would otherwise have.

(3.) Where a person is by operation of law or otherwise assignee of a person registered as limited owner of land, the name of the assignee shall, on his application, be entered in the register with the addition of the word "assignee," or of such other words as may be prescribed: in default of such application, the effect of the entry on the registry shall be as if there had been no assignment.

(4.) Where a new trustee is appointed, the registering authority shall, on application, and on production of the prescribed evidence, enter his name accordingly.

(5.) The provisions of this Act with respect to the registration of limited owners shall not apply in the case of settled land within the meaning of section sixty-three of the Settled Land Act, 1882, unless the settlement confers on the limited owner the powers conferred by the Settled Land Act, 1882 on a tenant for life, or an order made under the Settled Land Act, 1884, is in force at the time of the application for registration. Where such an order is made with respect to registered land, it shall be to the effect that the person who is to exercise the powers of a tenant for life of the land in pursuance of that section shall be registered as limited owner of the land subject to such inhibitions (if any) as may be considered expedient, and it shall not be necessary to register the order as a lis pendens.

45 & 46 Vict. c. 38.

47 & 48 Vict. c. 18.

(6.) A person shall not be affected with notice of the trusts of any settlement by reason of any person being registered as limited owner under the settlement or by reason of any reference to the settlement being entered on the register.

Trustees.

Power for trustee to apply to Court for directions.

72.—(1.) Where a trustee or other person acting in a fiduciary capacity is in doubt as to the person who ought to be registered under this Act, or as to any other matter with respect to which he is required or authorised to act under this Act, he may in such manner as may be directed by rules of court apply to the Court for directions.

(2.) The costs, charges, and expenses properly incurred by a trustee or other person acting in a fiduciary capacity (including a limited owner exercising powers under the Settled Land Acts or this Act) in or in connexion with any proceeding or application required or authorised by this Act, or by any rules under this Act, shall be deemed to be costs, charges, and expenses properly incurred by him in the execution of his trust or duty, and may, in the case of a proceeding before, or an application to, the registering authority, be finally ascertained and declared by that authority.

Married Women: Infants: Lunatics.

Married women.

73.—(1.) Subject to the provisions of this section, this Act shall apply to a married woman as if she were a feme sole.

(2.) Provided that in the case of a woman who was married before the first of January one thousand eight hundred and eighty-three, and whose title to land accrued before that date, her husband may, on showing that he is entitled in her right to the rents and profits of the land, be registered as owner of the land, with an entry in the register to the effect that he is so registered in right of his wife, and in such case, if the land is freehold, no registered disposition of the land shall be made during her life without her consent.

Infants.

74.—(1.) Where the registered owner of land or a charge is an infant, he shall be so described in the register, but that description may be removed on the prescribed application.

(2.) An infant may for all or any of the purposes of this Act be represented by such person as may be prescribed in that behalf by general rules, or by such person as may be appointed in that behalf by the court.

Lunatics.

75.—(1.) In the case of a lunatic so found by inquisition, the committee of his estate may represent him for all or any of the purposes of this Act.

(2.) In the case of a person of unsound mind not so found by inquisition, the court may from time to time appoint a guardian to represent him for all or any of the purposes of this Act.

Bankruptcy.

Effect of bankruptcy of registered owner. 20 & 21 Vict. c. 60.

76.—(1.) If a registered owner of any land or charge is adjudicated a bankrupt, or has had a resolution or agreement approved and confirmed in the matter of a petition presented by him under section three hundred and forty-three of the Irish Bankrupt and Insolvent Act, 1857, and the land or charge thereby becomes vested in assignees or trustees for the benefit of the creditors of the registered owner, the assignees or trustees under the bankruptcy or arrangement, as the case may be, shall be entitled to be registered as owners of the land or charge in the place of the bankrupt or arranging debtor, as the case may be, or, in the case of settled land, as his assignees.

(2.) If a petition of bankruptcy is presented by or against, or a petition under section three hundred and forty-three of the Irish Bankrupt and Insolvent Act, 1857, is presented by the registered owner of any land or charge, the Chief Registrar of the Court of Bankruptcy in Ireland, or, in the case of a local bankruptcy court, the local registrar shall, in the prescribed manner give the prescribed notice of the presenting of the petition to the prescribed registering authority, and thereupon notice of the presenting of the petition shall be entered on the register; and in the case of the registered owner being adjudicated a bankrupt section three hundred and twenty-eight of the Irish Bankrupt and Insolvent Act, 1857 (which relates to the protection of bonâ fide transactions without notice), shall in its application to registered dispositions of the land or charge, have effect as if the date of the entry of the notice were substituted for the date of the filing of the petition of bankruptcy.

(3.) When any notice of the presenting of a petition has been served under the provisions of this section, and the registered owner has been adjudicated a bankrupt, if the adjudication is afterwards annulled, the Chief Registrar of the Court of Bankruptcy in Ireland or, in the case of a local bankruptcy court, the local registrar shall in the prescribed manner give the prescribed notice of the annulling of the adjudication to every registering authority to whom notice of the presenting of the petition has been given.

Future Advances.

Effect of registered charge for future advances.

77.—(1.) Where a registered charge of a specified sum is expressed to be created on any land for the purpose of securing (whether with or without present advances) future advances to an amount not exceeding that sum, the registered owner of the charge shall be entitled in priority to any subsequent charge to the payment of any sum due to him in respect of advances up to the full amount of the specified sum, except as to any advances which may have been made after the date and with express notice in writing of the subsequent charge.

(2.) The expression "future advances" in this section includes sums from time to time due on an account current, and all sums which by agreement, or the course of business between the parties, are considered to be advances on the security of the charge.

Crown Lands.

Facilities for registration of Crown lands.

78.—(1.) With respect to any land or right vested in Her Majesty the Queen, her heirs or successors, either in right of the Crown, or otherwise, or vested in any public officer or body in trust for the public service, the public officer or body having the management thereof (if any), or, if none, then such person as Her Majesty, her heirs or successors, may by writing under the sign manual appoint, may represent the owner of the land or right for all the purposes of this Act, and may be registered with such special description of the nature of the ownership as may be prescribed.

(2.) The public office or body aforesaid, or the person appointed under this section, shall be entitled to receive such notices, and to make and enter any such application or cautions, and to do all such other acts as any owner of land or of a right in land (as the case may be) is entitled to receive, make, enter, or do under this Act.

(3.) For the purpose of any law or custom relating to Her Majesty in right of the Crown, the registration of land in the register under this Act shall be deemed to be a matter of record, and shall have the same effect as, and shall render unnecessary, the registration of land in a court of record, in the Consolidated Record and Writ Office of the High Court, in the office of Land Revenue Records and Enrolments, or in any other office.

Registry of land below high-water mark and other land subject to rights of Crown.

79. Where application is made for the registration of an owner of land which is not held under a conveyance or vesting order executed or made under the provisions of any Act of Parliament by which the right of the Crown is excluded, the registering authority shall send notice in writing to the Commissioners of Woods, and if it appears to the registering authority that the land comprises land below high-water mark at ordinary spring tides, also to the Board of Trade, and thereupon the Commissioners or Board, as the case may be, may, if it seems fit, lodge a caution in respect of the registration.

Stamp Duties.

80. Before registering any proposed purchaser on the first registration of an owner of land, and before registering any disposition of registered land, it shall be the duty of the registering authority to ascertain that all such stamp duties have been satisfied as would be payable if the land had been conveyed by an unregistered disposition to the proposed purchaser or the disposition to be registered had been an unregistered disposition. Stamp duties.

Certificates and Notices.

81.—(1.) Subject to general rules, the land certificate or certificate of charge granted on the registration of an owner of land, or of a charge on land, shall be produced to the registering authority on any subsequent transaction in relation to the land or charge requiring registration, as the case may be, and shall be either cancelled or so altered as to be brought into conformity with the register. Certificates.

(2.) Subject to general rules, the registering authority may, on the application of the registered owner, or of any person appearing to the registering authority to be entitled to require the production of a land certificate or certificate of charge, order any person in whose custody the certificate may be, to produce the same to the registering authority for the purpose of any dealing with the registered land or charge which can be effected without the consent of the person having the custody of the certificate.

(3.) The production of a certificate under this section shall not alter the right to the custody of the certificate, and shall not affect any lien of any person thereon.

(4.) A land certificate or certificate of charge shall be primâ facie evidence of the several matters therein contained.

(5.) Subject to any registered rights the deposit of a land certificate or certificate of charge shall, for the purpose of creating a lien on the land or charge to which the certificate relates, have the same effect as a deposit of the title deeds of land or of a charge thereon has heretofore had.

82.—(1.) Every person whose name is entered on the register as owner of land or of a charge, or as cautioner, or as entitled to receive any notice, or in any other character, shall furnish to the registering authority a place of address in the United Kingdom. Addresses and notices.

(2.) Subject to general rules, every notice by this Act required to be given to any such person shall be served by the registering authority, and shall be served personally, or sent through the post in a registered letter marked outside in the prescribed manner and directed to the person at the address furnished to the registering authority, and, unless returned, shall, in the absence of proof to the contrary, be deemed to have been received by the person addressed within such period as may be prescribed.

(3.) A registered purchaser for valuable consideration shall not be affected by the omission to send any notice by this Act directed to be given, or by the non-receipt thereof, unless he had knowledge of such omission or non-receipt before registration.

PART IV.

DEVOLUTION OF INTEREST IN FREEHOLD REGISTERED LAND SOLD UNDER PURCHASE ACTS.

Application of Part IV.

83. This part of this Act shall apply to freehold registered land which shall have been at any time sold and conveyed to or vested in a purchaser under any of the provisions of the Purchase of Land (Ireland) Acts, and to no other land. For the purposes of this part of this Act "freehold registered land" includes leasehold registered land which is not of chattel tenure.

Devolution of legal interest on death in freehold registered land sold under Purchase Acts.

84.—(1.) Where any such land is vested in any person without right of survivorship to any other person, it shall, on his death, notwithstanding any testamentary disposition, devolve to and become vested in his personal representatives or representative from time to time as if it were a chattel real vesting in them or him.

(2.) This section shall apply to any such land over which a person executes by will a general power of appointment as if it were land vested in him solely.

(3.) On the death either of a sole registered full owner or of the survivor of several registered full owners of any such land not being registered as tenants in common, the personal representatives of the sole owner or survivor shall alone be recognised by the registering authority as having any right in respect of the land, and shall have the same powers of dealing with the land, and any registered dispositions by them shall have the same effect, as if they were the registered owners of the land.

(4.) Where any such land is settled by the will of a testator dying after the commencement of this Act and there are no trustees of the settlement, the executors proving the will shall for the purposes of this Act be deemed to be the trustees of the settlement unless and until trustees of the settlement are appointed.

(5.) Probate and letters of administration may be granted in respect of such land only, although there is no personal estate.

44 & 45 Vict. c. 41.

(6.) Section thirty of the Conveyancing and Law of Property Act, 1881, shall not apply to any such land, without prejudice to anything done or any right acquired thereunder.

(7.) This section applies only in cases of death after the commencement of this Act.

Succession to beneficial interest in such land on intestacy.

85.—(1.) On the death of a person intestate as to any such land, the beneficial interest therein shall devolve upon and, subject to the provisions of this Act, be divisible among the same persons as if it were personal estate as to which he had died intestate.

(2.) There shall be abolished as regards such land—

(*a.*) All existing rules of law and canons of descent, and of devolution by special occupancy; and

(*b.*) Tenancy by the curtesy; and

(*c.*) Dower.

Provided that a husband or wife married before the passing of this Act, who, but for this section, would have been entitled to tenancy by the curtesy, dower, or other estate or interest, shall, at his or her own option, be entitled to the same in lieu of the interest conferred on him or her by this section.

(3.) This section applies only in cases of death after the commencement of this Act.

(4.) This section shall not apply to any freehold registered land of any person who is at the commencement of this Act entitled to that real estate, either in possession or in remainder or reversion, and is at that date, and remains thenceforth until his death, incapable, by reason of infancy or of unsoundness of mind, of disposing of that real estate.

Provisions as to administration of such land.

86.—(1.) Subject to the powers, rights, duties, and liabilities herein-after mentioned, the personal representatives of a deceased person shall hold such land as trustees for the persons by law beneficially entitled thereto, and those persons shall, subject to the provisions of this Act, have the same power of requiring a transfer thereof as they have of requiring a transfer of personal estate.

(2.) All enactments and rules of law relating to the effect of probate or letters of administration as respects chattels real, and as respects the dealing with chattels real before probate or administration, and as respects the payment of costs of administration and other matters in relation to the administration of personal estate, and the powers, rights, duties, and liabilities of personal representatives in respect of personal estate, shall apply to such land so far as the same are applicable, as if the land were a chattel real vesting in them or him, save that it shall not be lawful for some or one only of several joint personal representatives, without the authority of the court, to sell or transfer such land.

(3.) In the administration of the assets of a person dying after the commencement of this Act, seized of or entitled to any land to which this part of this Act applies, such land shall be administered in the same manner, subject to the same liabilities for debts, costs, and expenses, and with the same incidents as if it were personal estate: provided that nothing herein contained shall alter or affect the order in which real and personal assets respectively are now applicable in or towards the payment of funeral and testamentary expenses, debts, or legacies.

Provision for registration of heir or devisee of such land.

87.—(1.) At any time after the death of the owner of any such land, his personal representatives may assent, in the prescribed form, to any devise contained in the will of such deceased person, or may transfer the land to any person entitled thereto as heir, devisee, or otherwise; and may make the assent or transfer, either subject to a charge for the payment of any money which the

personal representatives are liable to pay or without any such charge; and on such assent or transfer, subject to a charge for all moneys (if any) which the personal representatives are liable to pay, all liabilities of the personal representatives in respect of the land shall cease, except as to any acts done or contracts entered into by them before such assent or transfer.

(2.) At any time after the expiration of one year from the death of the owner of any such land, if his personal representatives have failed on the request of the person entitled to the land to transfer the land to that person, the court may, if it think fit, on the application of that person, and after notice to the personal representatives, order that the person so entitled be registered as owner of the land either solely or jointly with the personal representatives.

(3.) No fee shall be payable on any transfer under this section by personal representatives to a person beneficially entitled to land.

(4.) The production of an assent by the personal representatives in the prescribed form shall authorise the registering authority to register the person named in such assent as the full owner or limited owner of the land, as the case may be.

Liability for duty.

88. Nothing in this part of this Act shall render any land to which it applies liable to probate duty or legacy duty, or exempt it from succession duty.

Meaning of "heirs."

89. In relation to freehold registered land, to which this part of this Act applies, the following provisions shall have effect:—

(1.) The word "heir" or "heirs" used as a word of limitation in any Act of Parliament, deed, or instrument passed or executed either before or after the commencement of this Act, shall have the same effect as if this Act had not passed.

(2.) The word "heir" or "heirs" used as a word of purchase in any Act of Parliament, deed, or instrument passed or executed before the commencement of this Act shall bear the same meaning as if this Act had not passed.

(3.) The word "heir" or "heirs" used as a word of purchase in any Act of Parliament, deed, or instrument passed or executed after the commencement of this Act shall, unless a contrary intention appears, be construed to mean the person or persons, other than a creditor, who would be beneficially entitled to the personal estate of the ancestor if the ancestor had died intestate.

(4.) Subject as aforesaid, references to the heirs of any person in any Act of Parliament, deed, or instrument passed or executed either before or after the commencement of this Act, shall be construed to refer to his personal representatives.

PART V.

MISCELLANEOUS PROVISIONS.

Indemnity of registering authority.

90. The registering authority shall not, nor shall any person acting under his authority or under any order or general rule made in pursuance of this Act, be liable to any action, suit, or

proceeding for or in respect of any act or matter bonâ fide done or omitted to be done in the exercise or supposed exercise of the powers of this Act, or any order or general rule made in pursuance of this Act.

Penalties for fraud.

91.—(1.) If any person commits any of the following offences, that is to say,—

(*a.*) in the course of any proceedings before a registering authority or the court in pursuance of this Act, with intent to conceal the title or claim of any person, or to substantiate a false claim, suppresses, attempts to suppress, or is privy to the suppression of any document or fact; or,

(*b.*) fraudulently procures, attempts to fraudulently procure, or is privy to the fraudulent procurement of any entry, erasure, or alteration in the register; or,

(*c.*) in any affidavit required or authorised to be made for any purpose under this Act, or under any order or general rules made in pursuance of this Act, wilfully makes a false statement in any material particular;

he shall be guilty of a misdemeanor, and if convicted on indictment shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years, or to be fined such sum not exceeding five hundred pounds as the court before which he is tried may award.

Saving of civil remedy.

(2.) No proceeding or conviction for any offence declared by this Act to be a misdemeanor shall affect any remedy to which any person aggrieved by the offence may be entitled.

Saving of obligation to make discovery.

(3.) Nothing in this Act shall entitle any person to refuse to make a complete discovery in any legal proceeding, or to answer any question or interrogatory in any civil proceeding; but no such discovery or answer shall be admissible in evidence against that person in any criminal proceeding under this Act.

Power to establish insurance fund.

92.—(1.) There shall be established, in accordance with a scheme to be settled by general rules under this Act, an insurance fund to be raised out of insurance fees payable on registered transactions relating to land.

(2.) The insurance fund shall be invested in such names and manner as the Treasury shall from time to time direct.

(3.) If the insurance fund is at any time insufficient to pay compensation for any loss chargeable thereon, the deficiency shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof; but any sum so paid out of the Consolidated Fund or the growing produce thereof shall so soon as may be possible be repaid out of the money subsequently standing to the credit of the insurance fund.

(4.) Accounts of the fund shall be kept, and be audited as public accounts, in accordance with such regulations as the Treasury from time to time make.

(5.) Provision may from time to time be made by general rules for any matters which appear to be necessary or proper

for giving effect to this section, and the scheme to be settled as aforesaid.

Application of insurance fund.

93.—(1.) The insurance fund established under this Act shall be applicable to the following purposes, namely:—

(*a.*) To indemnify a person for his loss as owner, incumbrancer, or otherwise, in respect of any land, arising from some other person being, on the first registration registered as owner of the land, or from the non-registration or incorrect registration of any burden affecting the land.

(*b.*) To indemnify a person for his loss as owner, incumbrancer, or otherwise, in respect of any land, caused by an entry in the register made subsequent to the first registration of an owner of the land, where the entry was either obtained by forgery or fraud, or made by any error on the part of the registering authority or any of his officers:

(*c.*) To indemnify a transferee for valuable consideration of a registered charge on land against any loss arising in respect of the charge from any entry in the register respecting the charge, where the entry was either obtained by forgery or fraud, or made by any error on the part of its registering authority or any of his officers.

(2.) A person shall not be entitled to compensation for any loss where he has caused or substantially contributed to the loss by any act, neglect, or default of himself or his agent.

(3.) A person deriving title from a person entitled to indemnity shall be entitled to the same in the place of the person from whom he so derives title.

(4.) Where an indemnity is in pursuance of this section paid to a person in respect of any land or charge, it shall be applicable in discharge of any incumbrances affecting the estate or interest of that person in the land or charge.

(5.) Where compensation is paid the registering authority on behalf of the Crown shall have the same right of recovering the amount of compensation for any loss from any person who caused or derived any advantage from the loss as the person who suffered the loss, his executors, administrators or assigns would have had if, irrespectively of this Act, the loss were an injury caused by the first-mentioned person to the person who suffered the loss.

(6.) A claim for compensation shall not be entertained after the expiration of six years from the time when the right to the compensation accrued, unless the person entitled to claim was then under disability, in which case the claim shall not be entertained after the expiration of two years from the termination of such disability.

(7.) The right to compensation shall be deemed to have accrued in regard to any estate or interest in possession at the date of the registration in respect of which compensation is claimed, and in regard to any estate or interest in remainder or reversion at the date when such estate or interest would but for such registration have fallen into possession.

94.—(1.) The Land Judge, with the approval of the Lord Chancellor, may, by order, make general rules for carrying into effect the object of this Act, and in particular, without limiting the foregoing power, in respect of all or any of the following matters; that is to say, Power to make rules.

(*a.*) The conduct of the business in the central and local offices, and the powers and duties of the central and local registering authorities, and of all officers and persons attached to the said offices; and

(*b.*) The relations between the central office and the local offices; and

(*c.*) The conduct of transfers of land at and through the medium of the said offices, and the publication of information relating to transfers of land; and

(*d.*) The making, keeping, and indexing of the registers and the authentication and preservation of documents relating to title; and

(*e.*) The procedure to be observed, the precautions to be taken, the notices to be given, and the evidence to be adduced in all proceedings in connexion with registration, and the circumstances under which and the persons to whom reference is to be made in respect of the examination of any title to land proposed to be registered; and

(*f.*) The form in which and conditions under which entries in the register are to be made, and may be modified or cancelled; the order in which entries relating to the same land are to be made, and the correction of clerical errors in the register or in any document connected with registration; and

(*g.*) The form and contents of any instrument, certificate, memorial, affidavit, or other document required or authorised to be used or given under or for the purposes of this Act; and

(*h.*) The registration of the ownership of mines and minerals, rents, tithes impropriate, and other incorporeal hereditaments, and of other hereditaments of a special nature; and

(*i.*) The conditions under which a new land certificate or certificate of charge may be given in place of a certificate lost, defaced, or destroyed; and

(*j.*) The custody of any instruments from time to time coming into the hands of any officer of the central or any local office; and

(*k.*) The inspection of and making copies of or extracts from any register or document in the custody of the central or any local office; and

(*l.*) The costs and fees to be charged by or allowed to solicitors or other persons in or incidental to or consequential on the registration of land, or other registered transaction in relation to land or charges thereon, or any matters authorised to be registered under this Act, or any other matter required to be done for the purpose of carrying this Act into execution, or otherwise in discharge of the duties imposed by this or any other Act on the registering authorities, with power to require

those costs and fees to be payable by commission, percentage, or otherwise; and

(*m.*) The circumstances (if any) under which payment of any such costs or fees may be remitted; and

(*n.*) The taxation of costs and the persons by and to whom costs are to be taxed and paid; and

(*o.*) The entering into security for the costs of appeals under this Act; and

(*p.*) Any matter by this Act directed or authorised to be prescribed, or for which general rules are by this Act directed or authorised to be made.

(2.) The assent of the Treasury shall be necessary for any general rules relating to fees or involving expenditure of public money.

(3.) Any general rules made in pursuance of this Act shall be judicially noticed, and shall be laid before both Houses of Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament, and after any such rules have been laid before Parliament, they shall be deemed to have been duly made and to be within the powers of this Act.

(4.) Provided that if an address is presented to Her Majesty by either House of Parliament within the next subsequent forty days during which the said House shall have sat, praying that any such rules be annulled, Her Majesty may thereupon, by Order in Council, annul the same, and the rules so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings or things which may in the meantime have been taken or done under the same.

Construction of terms in Act.

95.—(1.) In this Act, unless there is something inconsistent in the context,—

"Clerk of the Crown and Peace" means Clerk of the Crown or Clerk of the Peace, as the case may be, where the offices of Clerk of the Crown and Clerk of the Peace have not been united under the provisions of the County Officers and Courts (Ireland) Act, 1877;

40 & 41 Vict. c. 56.

"Conveyance" and "incumbrance" have respectively the same meaning as in the Conveyancing Acts 1881, 1882;

51 & 52 Vict. c. 49. 52 Vict. c. 13.

"Disposition" includes transfer and charge;

"Existing" means existing at the commencement of this Act;

"Fee simple" includes estates held under fee farm grants and perpetuity grants;

"Freehold land" means land the full ownership of which is an estate in fee simple;

"General rules" means such general rules as are by this Act authorised to be made.

"Irish Bankruptcy Acts" means the Irish Bankrupt and Insolvent Act, 1857, and the Bankruptcy (Ireland) Amendment Act, 1872, and any Act amending the same;

20 & 21 Vict. c. 60. 35 & 36 Vict. c. 58.

"Judgment mortgage" means an affidavit of ownership registered under the provisions of an Act passed in the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter twenty-nine, and any Act amending the same; 13 & 14 Vict. c. 29.

"Land" includes all corporeal hereditaments, but no other hereditaments. It also includes an undivided share in land;

"Land improvement charge" includes any charge for land improvement loans payable to the Commissioners of Public Works in Ireland under the Act of the session of the tenth and eleventh years of the reign of Her present Majesty, chapter thirty-two, and the Acts amending the same; 10 & 11 Vict. c. 32.

"Drainage charge" includes any charge payable under the same Act and the Acts amending it, or under the Act of the session of the fifth and sixth years of the reign of Her present Majesty, chapter eighty-nine, or any subsequent Act, and also any charge payable under the Drainage and Improvement of Lands Act (Ireland), 1863, or any Provisional Order under the said Act confirmed by Parliament, or under any other Act for the improvement or drainage of lands in Ireland; 5 & 6 Vict. c. 89. 26 & 27 Vict. c. 88.

"Land Commission" means the Irish Land Commission;

"Land Judge" means the Land Judge of the Chancery Division of the High Court for the time being;

"Landed Estates Court Acts" means the Act of the session of the twelfth and thirteenth years of the reign of Her present Majesty, chapter seventy-seven, and any Act continuing, extending, or amending the same, and the Act of the session of the twenty-first and twenty-second years of the reign of Her present Majesty, chapter seventy-two, and any Act amending the same; 12 & 13 Vict. c. 77. 21 & 22 Vict. c. 72.

"Lease" means any contract of tenancy and includes an agreement for a lease;

"Lord Chancellor" includes Lords Commissioners and Lord Keeper of the Great Seal of Ireland;

"Personal representatives" means an executor or administrator, and includes a special executor and an executor named in a will in exercise of a power by a woman married before the year one thousand eight hundred and eighty-three, unless and until a general administration of her estate and effects has been granted;

"Possession" includes the receipt of the rents and profits;

"Prescribed" means prescribed by any general rules made in pursuance of this Act;

"Purchase of Land (Ireland) Acts" means the Irish Church Act, 1869, the Landlord and Tenant (Ireland) Act, 1870, the Landlord and Tenant (Ireland) Act, 1872, the Land Law (Ireland) Act, 1881, the Tramways and Public Companies (Ireland) Act, 1883, the Purchase of Land (Ireland) Act, 1885, the Land Law (Ireland) Act, 1887, the Purchase of Land (Ireland) Amendment Act, 1888, the Purchase of Land (Ireland) Amendment Act, 1889, and any Act amending any of the said Acts; 32 & 33 Vict. c. 42. 33 & 34 Vict. c. 46. 35 & 36 Vict. c. 32. 44 & 45 Vict. c. 49. 46 & 47 Vict. c. 43. 48 & 49 Vict. c. 73. 50 & 51 Vict. c. 33.

"Record of Title Office" means the office established by the Record of Title (Ireland) Act, 1865;

"Register" means a register maintained under this Act;

"Registered land" means land of which an owner has been registered under this Act;

"Registry of Deeds" means the office for registering memorials of deeds, conveyances, and wills, established by the Act of the Parliament of Ireland of the sixth year of the reign of Queen Anne, chapter two;

6 Anne, c. 2.

"Acts relating to the Registry of Deeds" means the last-mentioned Act and every Act amending the same or in any way regulating the Registry of Deeds;

"Registry of Judgments" means the office established by the Act of the session of the seventh and eighth years of the reign of Her present Majesty, chapter ninety;

7 & 8 Vict. c. 90.

"Acts relating to the Registry of Judgments" means the last-mentioned Act, and every Act amending the same.

"Right" includes estate, interest, equity, and power;

"Settlement," "settled land," "tenant for life," and "trustees of the settlement" have respectively the same meanings as in the Settled Land Acts, 1882 to 1889;

"Statutory tenancy" includes judicial lease under the Land Law (Ireland) Act, 1881, and any Act amending the same, and any tenancy in respect of which a judicial rent has been fixed under any of those Acts;

44 & 45 Vict. c. 49.

"Tithe rentcharge" includes any annual sum payable to the Land Commission under the thirty-second section of the Irish Church Act, 1869, as amended by any subsequent Act;

32 & 33 Vict. c. 42.

"Unregistered land" means land of which an owner has not been registered under this Act;

"Will" includes codicil, and expressions referring to the making of a will include the revival or re-execution of a will, but not the confirmation only of a will previously made.

(2.) For the purposes of this Act an estate or interest in remainder or reversion not disposed of by a settlement and reverting to the settlor or descending to the testator's heir, shall be an estate or interest comprised in the subject of the settlement.

Saving for escheats, &c.

96. Nothing in this Act shall affect any right of Her Majesty to any escheat or forfeiture or the right of the Crown to any freehold registered land to which the Crown would be entitled by escheat, but this section shall not exempt such land from liability to debts in like manner as in any other case.

CHAPTER 67.

An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary.

[5th August 1891.]

WHEREAS it is expedient that certain enactments which may be regarded as spent, or have ceased to be in force otherwise than by express specific repeal by Parliament, or have, by lapse of time or otherwise, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Enactments in schedule repealed.

1. The enactments described in the schedule to this Act are hereby repealed, subject to the provisions of this Act and subject to the exceptions and qualifications in the schedule mentioned; and every part of a title, preamble, or recital specified after the words "in part, namely," in connexion with an Act mentioned in the said schedule may be omitted from any revised edition of the statutes published by authority after the passing of this Act, and there may be added in the said edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble, or recital, as may in consequence of such omission appear necessary:

Provided as follows:

The repeal of any words or expressions of enactment described in the said schedule shall not affect the binding force, operation, or construction of any statute, or of any part of a statute, whether as respects the past or the future;

and where any enactment not comprised in the said schedule has been repealed, confirmed, revived, or perpetuated by any enactment hereby repealed, such repeal, confirmation, revivor, or perpetuation shall not be affected by the repeal effected by this Act;

and the repeal by this Act of any enactment or schedule shall not affect any enactment in which such enactment or schedule has been applied, incorporated, or referred to;

nor shall such repeal of any enactment affect any right to any hereditary revenues of the Crown, or affect any charges thereupon or prevent any such enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto;

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing status or capacity,—or any right, title, obligation, or liability already acquired, accrued, or incurred, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any

debt, penalty, obligation, liability, claim, or demand,—or any indemnity,—or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice, or procedure, or the general or public nature of any statute, or any existing usage, franchise, liberty, custom, privilege, restriction, exemption, office, appointment, payment, allowance, emolument, or benefit, or any prospective right, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed;

nor shall this Act revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure, form of punishment, or other matter or thing not now existing or in force;

and this Act shall not extend to repeal any enactment so far as the same may be in force in any part of Her Majesty's dominions out of the United Kingdom, except where otherwise expressed in the said schedule.

Application of repealed enactments in local courts.

2. If and so far as any enactment repealed by this Act applies or may have been by Order in Council applied to the court of the county palatine of Lancaster or to any inferior court of civil jurisdiction, such enactment shall be construed as if it were contained in a local and personal Act specially relating to such court and shall have effect accordingly.

Short title.

3. This Act may be cited as the Statute Law Revision Act, 1891.

SCHEDULE.

This schedule is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Statute Law Committee in all cases of Statutes included in that edition.

Enactments which have been already repealed are, in a few instances, included in the schedule, in order to avoid the necessity of reference to previous Statutes.

Reign and Chapter.	Title.
1 & 2 Geo. 4. c. 48.	An Act to amend the several Acts for the regulation of Attornies and Solicitors.
3 Geo. 4. c. 16. -	An Act to amend an Act made in the last Session of Parliament for amending the several Acts for the regulation of Attornies and Solicitors.

Reign and Chapter.	Title.
4 Geo. 4. c. 60. -	An Act for granting to His Majesty a sum of Money to be raised by Lotteries. In part; namely,— Section thirty-eight. Section sixty-seven, from "and any such adjudication" to "et cetera, et cetera."
4 Geo. 4. c. 61. -	An Act for the better Administration of Justice in the Court of Chancery in Ireland. In part; namely,— Section seven, the words "such of," from "in the court" to "of Parliament," and the word "deputy" where it lastly occurs. Section eight. Sections thirteen to seventeen. Section twenty-four. Sections thirty-three and thirty-four. Section forty-one, the words "and except any master in ordinary of the said court." Sections forty-three to fifty. Section fifty-five. Section fifty-six, to "pound and no more and." Section fifty-eight.
4 Geo. 4. c. 80. -	An Act the title of which begins with the words "An Act to consolidate," and ends with the words "in India." In part; namely,— Sections twenty-nine and thirty.
4 Geo. 4. c. 97. -	An Act the title of which begins with the words "An Act for the Regulation" and ends with the words "in Scotland." In part; namely,— Section five, to "twenty-four," and the words "from thenceforth" and "then after."
6 Geo. 4. c. 23. -	An Act for the better Regulation of the Sheriff and Burgh Courts in Scotland. In part; namely,— Section four, the words "or stewart" and "and stewart." Section ten, from "for the more" to "Scotland and."
6 Geo. 4. c. 30. -	An Act to amend an Act of the Fourth Year of His present Majesty's reign, for the better Administration of Justice in the Court of Chancery in Ireland.
6 Geo. 4. c. 48. -	An Act the title of which begins with the words "An Act to alter" and ends with the word "Scotland." In part; namely,— Section three, the words "or stewartry." Section twenty-one, the words "or stewartry."
7 Geo. 4. c. 14. -	An Act the title of which begins with the words "An Act for the further" and ends with the word "Ireland." In part; namely,— Section three.
7 & 8 Geo. 4. c. 53.	An Act the title of which begins with the words "An Act to consolidate" and ends with the word "Ireland." In part; namely,— Section eight, the words "or assistant commissioner or commissioner of appeal under this Act." Section twenty-two, the words "and assistant commissioners" occurring twice.

Reign and Chapter.	Title.
7 & 8 Geo. 4. c. 53. —*cont.*	Section twenty-nine, the words "or assistant commissioner," "or assistant commissioners," and "or for the commissioners of appeal under this Act." Section thirty. Section thirty-one, the words "or affirmation or declaration" "or affirm or declare" wherever they respectively occur. Section thirty-three, the words "and assistant commissioners" occurring twice. Section sixty-five, from "where the offence" where those words first occur to "said chief office" and the words "and such commissioners of excise" "as herein-after mentioned" where they first occur and "commissioners and" and the word "respectively" where it first, secondly, thirdly, and fourthly occurs. Section sixty-seven, the words "and assistant commissioners." Section sixty-eight, the words "for any assistant commissioner of excise or" and "any such assistant commissioner or." Section sixty-nine, the words "and assistant commissioners." Section seventy, the words "and assistant commissioners." Section seventy-one, the words "and assistant commissioners" occurring twice. Section seventy-three, the words "the commissioners of excise and" "respectively" occurring twice and "as before mentioned." Section seventy-four, the words "commissioners of excise and" "and commissioners of appeal under this Act respectively" "respectively" where it next occurs "commissioners or the" and "or the said commissioners of appeal." Section seventy-seven, the words "the commissioners of excise or." Section seventy-eight, the words "commissioners of excise and" "commissioners or" "commissioners and" and "they" after "as" and the word "respectively" wherever it occurs. Section seventy-nine, the words "or commissioners of appeal in this Act after mentioned." Section eighty-two, the word "either" before "to the" and the words "commissioners of appeal or" and "of such commissioners of appeal or." Section eighty-three, the words "commissioners of excise or" from "at the office" to "appeal or" and the word "respectively" occurring twice. Section eighty-four, the words "the commissioners of appeal or" "commissioners of appeal and" occurring twice and "and commissioners of excise" and the word "respectively" wherever it occurs. Section eighty-five, the words "commissioners of excise or" wherever they occur, "commissioners of appeal or" and "respectively" occurring twice. Section eighty-six, the words "commissioners of excise or" occurring twice, "commissioners of excise and" and "respectively" wherever it occurs.

Reign and Chapter.	Title.
7 & 8 Geo. 4. c. 53. —*cont.*	Section eighty-seven, the words "by the commissioners of appeal or" "commissioners of appeal or" subsequently occurring twice, "commissioners or" occurring twice and "respectively" wherever it occurs. Section ninety, the words "and assistant commissioners." Section one hundred and ten, the words "and assistant commissioners."
9 Geo. 4. c. 24. -	An Act to repeal certain Acts and to consolidate and amend the Laws relating to Bills of Exchange and Promissory Notes in Ireland. In part; namely,— Section three. Section five.
9 Geo. 4. c. 35. -	An Act to protect Purchasers for valuable consideration in Ireland against Judgments not revived or redocketed within a limited time.
9 Geo. 4. c. 39. -	An Act for the Preservation of the Salmon Fisheries in Scotland. In part; namely,— Section three, from "after" to "Act."
9 Geo. 4. c. 47. -	An Act the title of which begins with the words "An Act for regulating" and ends with the words "United Kingdom." In part; namely,— Section one, the words "and assistant commissioners" occurring twice, and "or assistant commissioners." Section two, the words "and assistant commissioners."
9 Geo. 4. c. 54. -	An Act for improving the Administration of Justice in Criminal Cases in Ireland. In part; namely,— Section twelve, to "abolished: but." Section fifteen, from "and if a male" to the end of the section. Section twenty-one, from "and if a male" where those words twice occur, to "imprisonment" where that word next respectively occurs.
9 Geo. 4. c. 58. -	An Act the title of which begins with the words "An Act to regulate" and ends with the word "Certificate." In part; namely,— Section thirty, the words "after the commencement of this Act."
10 Geo. 4. c. 7. -	An Act the title of which begins with the words "An Act for the Relief" and ends with the word "Subjects." In part; namely,— Section thirteen. Section fourteen, the word "and" before "upon" and the words "also" and "other."
10 Geo. 4. c. 24.	An Act the title of which begins with the words "An Act to enable" and ends with the words "of Years." In part; namely,— Section twelve, the words "after the passing of this Act." Section seventeen, the words "the governor and company of."

Reign and Chapter.	Title.
10 Geo. 4. c. 50.	The Crown Lands Act, 1829. In part; namely,— Section fifty-eight, from "from and after" to "this Act." Section fifty-nine, the words "after the passing of this Act," occurring twice.
11 Geo. 4. & 1 Will. 4. c. 26.	An Act the title of which begins with the words "An Act to authorise" and ends with the word "Annuities." In part; namely,— Section six, the words "the governor and company of." Section nine, the words "except as herein-after excepted."
11 Geo. 4. & 1 Will. 4. c. 37.	An Act the title of which begins with the words "An Act to amend" and ends with the word "Punishment." In part; namely,— Section five, the words "it is provided that." Section seven, the words "it is hereby provided that."
11 Geo. 4. & 1 Will. 4. c. 39.	An Act the title of which begins with the words "An Act to amend" and ends with the word "colonies." In part; namely,— Section seven, from "or at any great" to "Chester."
11 Geo. 4. & 1 Will. 4. c. 65.	An Act the title of which begins with the words "An Act for consolidating" and ends with the word "Mind." In part; namely,— Section forty-four, the words "the governor and company of."
11 Geo. 4. & 1 Will. 4. c. 69.	An Act the title of which begins with the words "An Act for uniting" and ends with the word "Scotland." In part; namely,— The words "it is provided that," "it is provided further that," and "it is hereby provided that," in sections thirteen, twenty-four, and thirty-seven.
11 Geo. 4. & 1 Will. 4. c. 70.	An Act for the more effectual Administration of Justice in England and Wales. In part; namely,— Section seven.
1 Will. 4. c. 7. -	An Act the title of which begins with the words "An Act for the more" and ends with the word "Westminster."
1 Will. 4. c. 21. -	An Act to improve the Proceedings in Prohibition and Writs of Mandamus.
1 & 2 Will. 4. c. 31.	An Act to improve the Administration of Justice in Ireland. In part; namely,— Section one, from "provided that if" to end of section. Sections four, eight, fifteen, and twenty-two.
1 & 2 Will. 4. c. 32.	An Act to amend the Laws in England relative to Game. In part; namely,— Section thirty-eight, from "and for any term" to end of the section. Sections thirty-nine and forty.

Reign and Chapter.	Title.
1 & 2 Will. 4. c. 32.—*cont.*	Section forty-one, from "and that where" to the end of the section. Section forty-three. Section forty-four, from "to be holden" to end of the section. Section forty-five, from "and that no" to the end of the section. Repealed except as to Ireland.
1 & 2 Will. 4. c. 37.	An Act to prohibit the payment, in certain trades, of wages in goods, or otherwise than in the current coin of the realm. In part; namely,— The words "in any of the trades herein-after enumerated," "in any of the said trades," "in any such trade," and "in such trade" wherever they occur in sections one to seven and nine. Section five, the words "such" and "as aforesaid" where they respectively first occur. Section seven, the words "such" and "as aforesaid" where they respectively first occur. Section eight, the words "such" and "as aforesaid" where they respectively first occur. Section nine, the words "ner less than five pounds," except as to Ireland. Section seventeen, from "and no warrant" to the end of the section, except as to Ireland. Section twenty-three, from "workman or" to "this Act."
2 & 3 Will. 4. c. 4.	An Act for more effectually preventing Embezzlements by Persons employed in the Public Service of His Majesty.
2 & 3 Will. 4. c. 5.	An Act to provide for carrying on the Business of the Court of Session in Scotland when interrupted by the Death or necessary absence of any of the Judges thereof. In part; namely,— Section one, from "of either division" to "on the bills," the words "and that either" and "or bill chamber," and from "or by appointing," to the end of the section. Section two, the words "of the same or of the other division."
2 & 3 Will. 4. c. 48.	An Act to regulate the Office of Clerk of the Crown in the Court of King's Bench in Ireland. In part; namely,— Section three, the words "or other chief governor or governors of Ireland." Section five, from "save and" to "shall be employed." Sections fourteen and fifteen.
2 & 3 Will. 4. c. 65.	An Act to amend the Representation of the People in Scotland. In part; namely,— Section twenty-three. Section twenty-nine. Section thirty, to "Provided always that." Section thirty-four. Section forty-one.

Reign and Chapter.	Title.
2 & 3 Will. 4. c. 68.	An Act for the more effectual Prevention of Trespass upon Property by Persons in Pursuit of Game in that part of Great Britain called Scotland. In part; namely,— Section eight, from "for any term" to "months." Sections nine and ten. Section eleven, from "and . . . where" to the end of the section. Sections thirteen to fifteen.
2 & 3 Will. 4. c. 75.	An Act for regulating Schools of Anatomy. In part; namely,— Section sixteen.
2 & 3 Will. 4. c. 78.	An Act the title of which begins with the words "An Act to continue" and ends with the words "said Island." In part; namely,— Title, from "and to provide" to the end of the title. Preamble, and to "same that."
2 & 3 Will. 4. c. 86.	An Act to amend an Act of the Forty-fifth Year of His Majesty King George the Third, relating to Post Roads in Ireland.
2 & 3 Will. 4. c. 87.	An Act to regulate the Office for registering Deeds, Conveyances, and Wills in Ireland. In part; namely,— Section two, from "as named and" to "annexed," and the words "hereafter upon the happening of any vacancy." Section nine, to "as may be; and." Section thirty-five, from "and also provided" to the end of the section. Schedule A.
2 & 3 Will. 4. c. 88.	An Act to amend the Representation of the People in Ireland. In part; namely,— Section one, from "or for the unexpired" where those words secondly occur to "charges"; the words "no person being such lessee or assignee of such term of twenty years and," "or twenty," and "unless he shall be in the actual occupation of the premises and." Section two. Section five, from "who shall be seised" to "same; or"; from "or who shall hold and occupy" to "ten pounds"; the words "according to the provisions of this Act," and from "Provided always" to the end of the section. Section six. Section nine, from "all freemen" to "borough and," from "after such" to "Act but," from "since the" to "hereafter," and the words "or register as freemen under this Act." Sections thirteen, fourteen, and twenty-seven. Sections fifty-five to fifty-eight. Sections sixty-two, sixty-four, sixty-seven, and sixty-eight. Schedule A.

Reign and Chapter.	Title.
2 & 3 Will. 4. c. 120.	An Act to repeal the Duties under the Management of the Commissioners of Stamps on Stage Carriages and on Horses let for Hire in Great Britain, and to grant other Duties in lieu thereof, and also to consolidate and amend the laws relating thereto. In part; namely,— Section one hundred and three, from "and it shall be lawful" to "paid and satisfied," from "for the county" to "hearing of such appeal," and the word "also." Section one hundred and five, from "provided that" to the end of the section. Sections one hundred and eight, one hundred and ten, one hundred and eleven, and one hundred and thirteen. Schedule B.
2 & 3 Will. 4. c. 123.	An Act for Abolishing the Punishment of Death in certain cases of Forgery.
3 & 4 Will. 4. c. 48.	An Act the title of which begins with the words "An Act to amend" and ends with the word "Metropolis." In part; namely,— Section seven, from "and to place" to "of stamps."
3 & 4 Will. 4. c. 50.	An Act to repeal the several Laws relating to the Customs. In part; namely,— Section three, from "and for repealing" to "America as relates thereto," and from "and to amend an Act of the present session" to "registered in India."
3 & 4 Will. 4. c. 68.	An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in Ireland. In part; namely,— Section two, from "to each of the churchwardens" to "situate and," from "and the names" where those words first occur to "or union," from "and the names" where those words next occur, to "licence." Section six, from "and upon the" to "bond hereinafter mentioned." Section nine, from "without" to the end of the section. Section ten, from "together" to "for such licensed person." Section eleven, the words "and of each of his sureties." Section twelve, from "together" to "person under this Act." Sections twenty-two to thirty-eight.
3 & 4 Will. 4. c. 76.	An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in Scotland. In part; namely,— Sections one to three. Section four, from "and the respective" to the end of the section. Section five, from "and within five" to "hereinbefore directed." Section six.

Reign and Chapter.	Title.
3 & 4 Will. 4. c. 76.—*cont.*	Section eight, the word "open," and from "and it shall not be" to the end of the section. Section nine. Section ten, from "the poll books for" to "be transmitted to," the words "who" "after the receipt of the same" and "shall openly break the seals and." Section eleven, from "shall declare their" to "clerk, together with," and from "no other inquiry" to "number of votes and." Section fourteen, the words "previous to such induction" and from "and each such" to "declined to accept." Section fifteen, from "videlicet, the" to "assemble and." Section thirty. Schedules A., B., D., and E.
3 & 4 Will. 4. c. 77.	An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs. In part; namely,— Section two. Sections four to nine. Section eleven, from "videlicet, the burghs" to "assemble and," and from "in manner hereinbefore" to "under this Act," and the words "subsequent to the first election." Section twenty-nine. Schedules A. and B.
3 & 4 Will. 4. c. 92.	An Act to explain and amend the provisions of certain Acts for the erecting and establishing Public Infirmaries, Hospitals, and Dispensaries in Ireland. In part; namely,— Sections six and seven.
4 & 5 Will. 4. c. 61.	An Act for the more effectually providing for the erection of certain Bridges in Ireland. In part; namely,— Section nine, from "and upon such presentment" to end of section.
4 & 5 Will. 4. c. 70.	An Act to regulate the Salaries of the Officers of the House of Commons. In part; namely,— Section three, the words "Provided always, that" and "said."
4 & 5 Will. 4. c. 76.	The Poor Law Amendment Act, 1834. In part; namely,— Section fifty-one, from "to alter and" to "at a time."
4 & 5 Will. 4. c. 78.	An Act for the amendment of the Proceedings and Practice of the High Court of Chancery in Ireland. In part; namely,— Sections one to seven, nine, twelve to eighteen, and thirty-six.

Reign and Chapter.	Title.
4 & 5 Will. 4. c. 92.	An Act for the abolition of Fines and Recoveries, and for the substitution of more simple modes of Assurance, in Ireland. In part; namely,— Section sixty-seven. Section seventy, the words "or a master in Chancery." Section seventy-one, the words "master in Chancery." Section seventy-four, the words "or a master in Chancery." Section seventy-five, the words "master in Chancery" and from "which memorandum" to end of section. Section eighty, from "the Lord Chief Justice" to "pleasure and," the word "also," and from "and certificates" to "the certificates."
5 & 6 Will. 4. c. 16.	An Act for altering and amending the law regarding commitments by courts of equity for contempts, and the taking Bills *pro confesso* in Ireland. In part; namely,— Sections one to eleven. Section twelve, sub-sections one to eleven, in sub-section thirteen the words "or upon any report to be made in pursuance of this Act," in sub-section fourteen the words "or upon any such report as aforesaid," in sub-section fifteen the words "upon any such report as aforesaid or," and "upon any such report as aforesaid," and sub-section seventeen. Section thirteen. Section fourteen, from "except as to the costs" to "money or costs." Section fifteen, from "but the reports" to end of section. Section nineteen.
5 & 6 Will. 4. c. 27.	An Act to continue and amend certain Regulations for the Linen and Hempen Manufactures in Ireland. In part; namely,— Section thirty-one.
5 & 6 Will. 4. c. 33.	An Act the title of which begins with the words "An Act for preventing" and ends with the words "other Indictments. . ."
5 & 6 Will. 4. c. 55.	An Act the title of which begins with the words "An Act for facilitating" and ends with the words "Great Britain." In part; namely,— Sections thirty-two to thirty-eight.
5 & 6 Will. 4. c. 70.	An Act for abolishing in Scotland Imprisonment for Civil Debts of Small Amount.
6 & 7 Will. 4. c. 11.	An Act for the Registration of Aliens . . . . . In part; namely,— Section ten, from "prosecuted within" to "offences shall be," and from "for any time" to "twenty pounds." Repealed except as to Ireland.

Reign and Chapter.	Title.
6 & 7 Will. 4. c. 37.	An Act the title of which begins with the words "An Act to repeal" and ends with the words "Bread beyond the limits aforesaid." In part; namely,— Section eight, the words "nor less than five pounds" and "for any time not exceeding six calendar months." Section nine, from "nor less than" to the end of the section. Section twelve, the words "nor less than forty shillings" and "for any time not exceeding six calendar months." Section thirteen, from "nor less than ten" to the end of the section. Section seventeen, from "(which warrant" to "recognizance or otherwise," and from "and the other moiety" to the end of the section. Sections eighteen to twenty-three. Section twenty-four, from "and where any" to the end of the section. Section twenty-five, from "the person or" to the end of the section. Section twenty-six. Section twenty-seven, from "shall be recoverable" to "the whole penalties" and from "and it is hereby" to end of section. Section twenty-eight.
6 & 7 Will. 4. c. 38.	An Act the title of which begins with the words "An Act to amend an Act" and ends with the words "in Ireland." In part; namely,— Sections thirteen and fourteen.
6 & 7 Will. 4. c. 41.	An Act to abolish the Commissary Court of Edinburgh, and to regulate the Mode of taking Proofs in Consistorial Causes in Scotland.
6 & 7 Will. 4. c. 56.	An Act for regulating the Process of Cessio Bonorum in the Court of Session, and for extending the Jurisdiction of Sheriffs in Scotland to such cases. In part; namely,— Section two. Section three, from "setting forth that" to "diligence, and" and from "and with such" to end of section. Section fifteen. Section sixteen, from "by the inner" to "on the bills or." Section seventeen, the words "either by the Court of Session or the sheriff." Section eighteen, from "in cases before" to "before the Court of Session." Sections nineteen and twenty.
6 & 7 Will. 4. c. 69.	An Act to fix the Standard Qualities of Gold and Silver Plate in Scotland, and to provide for the assaying and marking thereof. In part; namely,— Section twenty-two, from "Provided always" to end of section.

Reign and Chapter.	Title.
6 & 7 Will. 4. c. 71.	An Act for the Commutation of Tithes in England and Wales. In part; namely,— Section seventy.
6 & 7 Will. 4. c. 74.	An Act to abolish certain offices connected with the Court of Chancery in Ireland, and to provide for the performance of the duties thereof. In part; namely,— Section two, to "hanaper" where that word first occurs; from "and so from" to "therein"; from "receive and be" to "shall." Sections three and four. Section six, to "of the Court"; from "the several" to "videlicet, two"; from "Lord Chancellor's" to "other the"; from "to them" to "be made"; from "Lord Chancellor" to "assistance of the"; and from "in manner" to end of section. Sections seven and eight. Section eleven, the word "six" where it first occurs; from "and such" to "Lord Chancellor"; and from "and upon a vacancy" to end of section. Section thirteen. Section fourteen, to "mentioned and"; and from "on the happening" to "registrars." Section seventeen. Section thirty-three. Schedules.
6 & 7 Will. 4. c. 89.	An Act to provide for the Attendance and Remuneration of Medical Witnesses at Coroners Inquests. In part; namely,— Section seven.
6 & 7 Will. 4. c. 97.	An Act for continuing and making perpetual the duty on certain offices and pensions. In part; namely,— Section two.
6 & 7 Will. 4. c. 116.	An Act to consolidate and amend the laws relating to the Presentment of Public Moneys by Grand Juries in Ireland. In part; namely,— Section twenty-three, from "always that if no" to "provided further." Section ninety. Section one hundred and one, from "save and except" to the end of the section. Section one hundred and sixteen. Section one hundred and twenty-nine. Section one hundred and thirty, the words "together with such certificates to be obtained from the said surveyor," the words "and certificates," where they first and secondly occur, and the words "or certificate" and "and certificate." Sections one hundred and fifty-six to one hundred and sixty-one. Sections one hundred and sixty-three and one hundred and sixty-four.

Reign and Chapter.	Title.
6 & 7 Will. 4. c. 116.—*cont.*	Section one hundred and sixty-eight, the words "the chairman of Kilmainham or," "the city of," "respectively," and "chairman" where that word last occurs. Section one hundred and sixty-nine from "and all such" to "justice shall direct." Section one hundred and seventy-three.
7 Will. 4. & 1 Vict. c. 32.	An Act to repeal the several Laws relating to the Post Office. In part; namely,— Schedule (B.) so far as it relates to the following Acts:—7 Geo. 3. c. 50.; 48 Geo. 3. c. 140.; 52 Geo. 3. c. 146.; 1 & 2 Will. 4. c. 33.; 2 Will. 4. c. 4.; 2 & 3 Will. 4. c. 86.; and 6 & 7 Will. 4. c. 116.
7 Will. 4. & 1 Vict. c. 33.	An Act for the Management of the Post Office. In part; namely,— Sections three to six. Section eight. Section eleven, to "in force, and." Section fifteen. Section twenty, the words "or any three of them."
7 Will. 4. & 1 Vict. c. 36.	An Act for consolidating the Laws relative to offences against the Post Office of the United Kingdom, and for regulating the Judicial Administration of the Post Office Laws, and for explaining certain Terms and Expressions employed in these Laws. In part; namely,— Section four, to "from his office, and." Section eleven, except as to Ireland. Section eighteen, except as to Ireland. Sections thirty-three to thirty-five. Section forty-five and schedule.
7 Will. 4. & 1 Vict. c. 41.	An Act for the more effectual recovery of Small Debts in the Sheriff Courts, and for regulating the establishment of Circuit Courts for the trial of Small Debt Causes by the Sheriffs, in Scotland. In part; namely,— The words "or prosecution" in sections two, thirty-one, thirty-two, and thirty-five. Section two, the words "all prosecutions for statutory penalties as well as" and the words "or prosecutor." Section three, the words "and prosecutions" and "or prosecutors." Section twelve, from "and shall be recovered" to "under this Act." Section fourteen, the words "and in prosecutions for statutory penalties." Schedule, Forms eight and nine.
7 Will. 4. & 1 Vict. c. 69.	An Act to amend an Act for the Commutation of Tithes in England and Wales. In part; namely,— Section eight.

Reign and Chapter.	Title.
7 Will. 4. & 1 Vict. c. 84.	An Act to abolish the Punishment of Death in Cases of Forgery. In part; namely,— Section one, so far as relates to the punishment of offences formerly punishable under 2 & 3 Will. 4. c. 123. Section two.
1 & 2 Vict. c. 27.	An Act to make more effectual provision for the Prevention of Offences by Insane Persons in Ireland. In part; namely,— Section one. Section two, from "any person," where those words first occur, to "as aforesaid or."
3 & 4 Vict. c. 62.	An Act the title of which begins with the words "An Act . . . to extend" and ends with the words "relating thereto." Repealed as to all Her Majesty's dominions.
3 & 4 Vict. c. 96.	The Post Office (Duties) Act, 1840. In part; namely,— Sections twenty-four to twenty-seven. Sections forty-four and forty-five. Section fifty-six. Section fifty-nine. Section sixty-four.
3 & 4 Vict. c. 108.	An Act for the Regulation of Municipal Corporations in Ireland. In part; namely,— Section eighty-one, from "or by the aldermen" to "particular ward." Section eighty-two from "or by the alderman" to "council."
5 & 6 Vict. c. 61.	An Act to provide for the better Government of South Australia. In part; namely,— Sections five to eight, ten, eleven, and thirteen. Repealed as to all Her Majesty's Dominions.
5 & 6 Vict. c. 106.	An Act to regulate the Irish Fisheries. In part; namely,— Section one hundred and six.
6 & 7 Vict. c. 7.	An Act to amend the Law affecting transported Convicts with respect to Pardons and Tickets of Leave. In part; namely,— Preamble. The words "And be it enacted that" in sections two and five. Section three, to "enacted that" and the word "such" before "ticket" where it first occurs. Section four, the words "and be it declared and enacted."
6 & 7 Vict. c. 8.	An Act the title of which begins with the words "An Act to empower" and ends with the word "chargeable." In part; namely,— To "same that."
6 & 7 Vict. c. 12.	An Act for the more convenient holding of Coroners Inquests. In part; namely,— Preamble and section one, to "same that." Section two, to "enacted that." Section three, to "enacted that."

Reign and Chapter.	Title.
6 & 7 Vict. c. 18.	An Act the title of which begins with the words "An Act to amend" and ends with the words "and Wales." In part; namely,— Preamble. The words "And be it enacted that" wherever they occur (except in section fifty-six) and the word "that" wherever it occurs with reference to the introductory words so repealed. Section three, to "enacted that," from "according to the respective" to "annexed," the words "on or before the tenth day of June," and from "according to the form" to "Schedule (A)," and the words "and of the said Table." Section four, from "according" where it first occurs to "Schedule (A)" and from "according" where it secondly occurs to the end of the section. Section five, from "according" to "Schedule (A)." Section seven, the words "according to the form "numbered (4) in the said Schedule (A) or to "the like effect" and the words "according to "the form numbered (5) in the said Schedule "(A) or to the like effect." Section eight, from "according" to "Schedule (A)." Section ten, to "enacted that," from "according" where it first occurs to "annexed," the words "on or before the tenth day of June," and from "according" where it secondly occurs to "Schedule (B)," and the words "and of the said Table." Section eleven, from "according" to "Schedule (B)." Section thirteen, from "according" where it first occurs to "annexed," and from "according" where it secondly occurs to "Schedule (B)." Section fifteen, the words "according to the form "numbered (6) in the said Schedule (B) or to "the like effect;" and the words "(8) and." Section seventeen, from "according" where it first occurs to "like effect," and from "according" where it secondly occurs to "Schedule (B)" so far as relates to lists of voters made by overseers. Section eighteen, the words "according to the form numbered (12) in the said Schedule (B)." Section twenty-one. Section twenty-eight, the words "the city of Westminster" where they first occur, the words "and the town of Berwick-upon-Tweed," and from "and the said lord chief justice" to "South Wales circuit, six." Section thirty. Section forty-two, from "read the said" to "then and there." Section fifty-six, the words "and be it enacted," the words "or Westminster," and from "and in regard to the city" to "said city." Section seventy, to "seems meet."

Reign and Chapter.	Title.
6 & 7 Vict. c. 18. —*cont.*	Section seventy-three, except in so far as relates to the rights of persons saved by the Representation of the People Act, 1884. Section seventy-four, to "declared and enacted that" and the word "that" wherever it occurs. Section seventy-seven. Section eighty-one, the words "or the town of Berwick-upon-Tweed." Section eighty-five, to "enacted that." Section ninety-three, to "enacted that." Section one hundred and one, from "and the words barrister" to "serjeants-at-law." Schedule B, Forms ten and eleven, so far as relates to overseers, and Forms one to four, six, eight, and twelve.
6 & 7 Vict. c. 20.	An Act for abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and for regulating the Crown Office. Sections six and eleven, being all which remain unrepealed.
6 & 7 Vict. c. 23.	An Act the title of which begins with the words "An Act to amend" and ends with the words "of such Tenure." In part; namely,— Preamble and section one, to "of the same that" and the word "that" before "in addition." The words "And be it enacted that" wherever they occur, except in sections six and eight to ten. The words "and be it enacted" in sections six and eight to ten. Section thirteen, to "enacted that," and the words "as aforesaid." Section fifteen, the word "that" before "the words."
6 & 7 Vict. c. 26.	An Act for regulating the Prison at Millbank. In part; namely,— Preamble. Section two, to "enacted that" and the words "her heirs and successors." Section three, to "this Act" and the words "and "for appointing inspectors of prisons in Great "Britain," and from "and of an Act," where those words last occur, to the end of the section. The words "And be it enacted that" wherever they occur. Section five, from "and the several persons" to "officers of the said Penitentiary House," and the words "commissioners of Her Majesty's" and "or at the said Penitentiary House." Section twelve, from "and all reasonable" to the end of the section. Section twenty-five, to "enacted that."
6 & 7 Vict. c. 30.	An Act to amend the Law relating to Pound-breach and Rescue in certain Cases. In part; namely,— Preamble and section one, to "same that." Section two, the words "and be it enacted." The words "And be it enacted that" in sections three and four.

Reign and Chapter.	Title.
6 & 7 Vict. c. 32.	An Act to amend the Laws in force relating to Grand Jury Presentments in Counties of Cities and Towns in Ireland. In part; namely,— Preamble. Section one, to "from and after the passing of this Act." The words "And be it enacted that" wherever they occur, except in section ten. Section ten, the words "and be it enacted." Section nineteen, to "enacted that" and the words "commissioners of Her Majesty's."
6 & 7 Vict. c. 36.	An Act to exempt from County, Borough, Parochial, and other local Rates, Land and Buildings occupied by Scientific or Literary Societies. In part; namely,— Preamble. Section one, to "forty-three." The words "and be it enacted" wherever they occur. Section three, to "enacted that."
6 & 7 Vict. c. 37.	An Act to make better Provision for the Spiritual Care of populous Parishes. In part; namely,— Preamble. Section one, to "same that," the word "said" where it first and secondly occurs, and the words "for England" and "Most Reverend William Howley Lord." The words "And be it enacted that" wherever they occur (except in sections five, eight, fourteen, and eighteen), and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections five, eight, fourteen, and eighteen. Section nine, the words "for England." Section thirteen, to "enacted that." Section twenty, to "enacted" and the word "that." Section twenty-one, the words "and her successors." Section twenty-two, to "enacted that" and the words "for England" and "and their successors" occurring twice. Section twenty-four, to "enacted that." Section twenty-five.
6 & 7 Vict. c. 38.	An Act to make further Regulations for facilitating the hearing Appeals and other Matters by the Judicial Committee of the Privy Council. In part; namely,— Preamble. Section one. The words "And be it enacted that" wherever they occur. Section twelve, to "enacted that." Section seventeen, the word "that" wherever it occurs,

Reign and Chapter.	Title.
6 & 7 Vict. c. 40.	An Act the title of which begins with the words "An Act to amend" and ends with the words "of the Workmen engaged therein." In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, except in section twenty-four. Section one, to "this Act." Section twenty-one, to "enacted that." The words "and be it enacted" in section twenty-four. Section thirty-five, the word "that" wherever it occurs.
6 & 7 Vict. c. 42.	An Act to amend an Act of the Nineteenth and Twentieth Years of King George the Third, for empowering Grand Juries in Ireland to present Bridges, and Tolls to be paid for passing the same, in certain Cases. In part; namely,— Preamble and section one, to "same that." Section two, to "enacted that."
6 & 7 Vict. c. 44.	An Act to amend the Acts for carrying on Public Works in Ireland.
6 & 7 Vict. c. 54.	An Act the title of which begins with the words "An Act for extending," and ends with the words "said Act." In part; namely,— Preamble. Sections one and two. Section three, to "enacted that" and the words "or by this Act," and the word "that" before "such right."
6 & 7 Vict. c. 66.	An Act to enlarge the Provisions of an Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment. In part; namely,— Preamble. Section one, to "this Act."
6 & 7 Vict. c. 68.	An Act for regulating Theatres. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur except in sections ten and twenty-two. The words "and be it enacted" in sections ten and twenty-two. Section twenty-one, the words "her heirs and successors."
6 & 7 Vict. c. 73.	An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in England and Wales. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur (except in sections six and forty-seven), and the word "that" wherever it occurs with reference to the introductory words so repealed. Section one, to "Provided always that." Section two, to "this Act," where those words first occur, and from "have been previously" to "passing of this Act" where those words last occur.

Reign and Chapter.	Title.
6 & 7 Vict. c. 73. —*cont.*	Section three, the words "from and after the passing of this Act." Section five, to "enacted that." The words "and be it enacted" in sections six and forty-seven. Section twenty-one, to "passing of this Act." Section thirty-seven, to "passing of this Act," and from "Court of Common" to "Durham." In the second part of the First Schedule the entries as to the following Acts:— 20 Hen. III. c. 10. 6 Edw. I. c. 8. 13 Edw. I. c. 10. 7 Rich. II. c. 14. 7 Hen. IV. c. 13. 3 Hen. VII. c. 1. 18 Eliz. c. 14. 29 Eliz. c. 5. 31 Eliz. c. 10. 52 Geo. III. c. 63. 1 & 2 Vict. c. 45.
6 & 7 Vict. c. 77.	An Act for regulating the Cathedral Churches of Wales. In part; namely,— Preamble. Section one, to "Act" and the word "said" before "dioceses." Section two, to "enacted" and the word "that." Section three, the words "and be it enacted." Section four, to "enacted that," and the word "that" where it subsequently occurs. Section six, to "enacted that" and the word "that" where it subsequently occurs. Section eleven. The words "And be it enacted that" in sections seven, eleven, twelve, and fourteen. Section thirteen, the words "And be it enacted" and the word "that" before "so soon as" and before "if after."
6 & 7 Vict. c. 79.	An Act the title of which begins with the words "An Act to carry," and ends with the words "and France." In part; namely,— The words "And be it enacted that," wherever they occur, and the word "that," wherever it occurs with reference to the introductory words so repealed. Section six, to "enacted that." Section eight, to "repealed; and that," and the word "that" before "the numbers." Section seventeen, from "to be next holden" to "court awarded." Section nineteen.
6 & 7 Vict. c. 82.	An Act the title of which begins with the words "An Act for extending," and ends with the words "Examination of Witnesses." In part; namely,— Title from "for extending" to "affidavits; and." Preamble. Section six, to "enacted that." Section seven, the words "and be it enacted."

Reign and Chapter.	Title.
6 & 7 Vict. c. 85.	An Act for improving the Law of Evidence. In part; namely,— Preamble and section one, to "same that" and the word "that" before "every." The words "And be it enacted that" wherever they occur.
6 & 7 Vict. c. 86.	An Act for regulating Hackney and Stage Carriages in and near London. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur (except in section twenty-three) and the word "that" wherever it occurs with reference to the introductory words so repealed. Section three, from "and to place" to "stamps." Section twenty-three, the words "and be it enacted."
6 & 7 Vict. c. 90.	An Act for removing Doubts as to the Service of Clerks or Apprentices to Public Notaries, and for amending the Laws regulating the Admission of Public Notaries. In part; namely,— Preamble. Section one, to "from and after the passing of this Act" and the word "that" before "no person." The words "and be it enacted" in sections two, five, and six. Section three, to "from and after the passing of this Act." The words "And be it enacted that" in sections four, eight, and nine. Section seven, to "passing of this Act." Section eight, the word "that" before "all oaths." Section ten, to "passing of this Act," and the word "that" before "save so far."
6 & 7 Vict. c. 91.	An Act to consolidate and amend the Laws for the Regulation of Charitable Loan Societies in Ireland. In part; namely,— Preamble. The words, "And be it enacted that" wherever they occur and the word "that" wherever it occurs with reference to the introductory words so repealed. Section four, the words "Commissioners of Her Majesty's" occurring twice, from "of the United" to "of them" where those words next occur, and the words "or any three or more of them" where they last occur. Sections forty-seven to fifty-two. Section fifty-three, the words "after the passing of this Act" and from "or if the managers" to "Institution," where that word secondly occurs. Section sixty-two, from "the words" to "being and."
6 & 7 Vict. c. 92.	An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland. In part; namely,— Preamble and section one, to "same that" and the words "after the passing of this Act" where they secondly occur.

Reign and Chapter.	Title.
6 & 7 Vict. c. 92. —*cont.*	The words "And be it enacted that" wherever they occur. Section eight, to "enacted that." Section ten, to "enacted" and the word "that" before "it shall be," before "hereafter the clerk" and before "after such clerk." Section twenty-one, to "enacted that." Section twenty-six, to "enacted that."
6 & 7 Vict. c. 93.	An Act to amend an Act of the Third and Fourth Years of Her present Majesty for the Regulation of Municipal Corporations in Ireland. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur (except in section six) and the word "that" wherever it occurs with reference to the introductory words so repealed. Section three, the words "her heirs and successors." Section four, to "enacted that" and the words "after the passing of this Act" wherever they occur. Section five, to "passing of this Act." Section six, the words "and be it enacted." Section seven, the words "Commissioners of Her Majesty's" and "or any three of them." Section eight, the words "Commissioners of Her Majesty's" where they first occur, the words "said Commissioners of Her Majesty's" occurring twice, and "or of any three of them." Section nine, to "therefore enacted that." Section thirteen, the words "after the passing of this Act." Section seventeen, to "passing of this Act." Section eighteen, to "enacted that." Section twenty-two, to "enacted that." Section twenty-five, to "passing of this Act." Section twenty-six, to "therefore enacted that," the word "said" before "borough," from "that from and" to "Act" where it next occurs, the word "that" before "the said," and the words "Her heirs and successors." Section twenty-eight, to "Be it enacted that."
6 & 7 Vict. c. 96.	An Act to amend the Law respecting defamatory Words and Libel. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur and the word "that" wherever it occurs with reference to the introductory words so repealed.
6 & 7 Vict. c. 98.	An Act for the more effectual Suppression of the Slave Trade. In part; namely,— Preamble to "declared unlawful: And" and section one, to "same that," Section two. Section four, to "enacted that." Section five. Section six. Repealed as to all Her Majesty's Dominions.

Reign and Chapter.	Title.
7 & 8 Vict. c. 2.	An Act for the more speedy Trial of Offences committed on the High Seas. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section four, the words "and be it declared and enacted."
7 & 8 Vict. c. 12.	An Act to amend the Law relating to International Copyright. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, except in sections six, seven, and twelve. The words "and be it enacted" in sections six, seven, and twelve. Section thirteen, the word "that" before "the times." Section twenty, from "and the expression Her Majesty" to "Majesty" where it next occurs.
7 & 8 Vict. c. 19.	An Act for regulating the Bailiffs of Inferior Courts. In part; namely,— The words "And be it enacted that" wherever they occur. Section one, from "For remedy thereof" to "the same that." Section four.
7 & 8 Vict. c. 22.	An Act to amend the Laws now in force for preventing Frauds and Abuses in the marking of Gold and Silver Wares in England. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, except in sections four and six. The words "and be it enacted" in sections four and six. Section seven, to "enacted that." Section ten, the words "of debt, bill, plaint." Section fourteen, from "and the term Her Majesty" to "successors." Section fifteen, to "forty-four."
7 & 8 Vict. c. 25.	An Act to repeal the Duty of Excise on Vinegar, and to make the Duties and Drawbacks now payable on Flint Glass the same as on Bottle Glass. In part; namely,— Title, from "and to make" to the end of the title. The words "and be it enacted" in sections three and four.
7 & 8 Vict. c. 29.	An Act to extend an Act of the Ninth Year of King George the Fourth, for the more effectual Prevention of Persons going armed by Night for the Destruction of Game. In part; namely,— Preamble and section one, to "from and after the passing of this Act."

Reign and Chapter.	Title.
7 & 8 Vict. c. 32.	An Act to regulate the Issue of Bank Notes, and for giving to the Governor and Company of the Bank of England certain Privileges for a limited Period. In part; namely,— Title, the words, "the Governor and Company of." Preamble and section one, to "forty-four." Section two, to "forty-four." Section three, to "enacted that." The words "And be it enacted that," wherever they occur, except in sections five and fourteen. The words "and be it enacted" in sections five and fourteen. Section four, to "and forty-four." Section seven, to "company of," and the word "thenceforth." Section ten, to "Act." Section eleven, to "Act." Section twelve, the words "after the passing of this Act" and "the governor and company of." Section thirteen, from "after the tenth" to "forty-four." Section eighteen, from "after the tenth" to "forty-four" where it next occurs, and from "after the nineteenth" to "forty-four." Section twenty, to "enacted that," and the words "commissioners of Her Majesty's." Section twenty-three, to "enacted that," and the words "the governor and company of" where they last occur. Section twenty-six, to "this Act." Section twenty-seven, the words "the said governor and company of" where they first and secondly occur, and from "to be given" to "fifty-five." Section twenty-eight, the word "that" wherever it occurs, and the words "the governor and company of" wherever they occur. Schedule C., the words "the Governor and Company of."
7 & 8 Vict. c. 33.	An Act for facilitating the Collection of County Rates, and for relieving High Constables from Attendance at Quarter Sessions in certain Cases, and from certain other Duties. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section seven, to "Act." Section eight, to "enacted that."
7 & 8 Vict. c. 37.	An Act the title of which begins with the words "An Act to secure" and ends with the words "Sites for Schools." In part; namely,— Preamble and section one, to "same that," and the words "and her successors." Section two, to "enacted that," and the words "and her successors" occurring twice. Section three, to "Be it enacted that." Section five, to "enacted that."

Reign and Chapter.	Title.
7 & 8 Vict. c. 38.	An Act to amend an Act of the last Session to consolidate and amend the Laws for the Regulation of Charitable Loan Societies in Ireland.
7 & 8 Vict. c. 44.	An Act to facilitate the disjoining or dividing of extensive or populous Parishes, and the erecting of new Parishes, in that Part of the United Kingdom called Scotland. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that," wherever they occur. Section two, to "declared that." Section five, from "the patronage" where those words first occur to "shall not bear the burden "of not less than one half of the stipend to be "provided to the minister of the new parish." Section fifteen, the words, "her heirs and successors."
7 & 8 Vict. c. 45.	An Act for the Regulation of Suits relating to Meeting Houses and other Property held for religious Purposes by Persons dissenting from the United Church of England and Ireland. In part; namely,— Preamble to "in Ireland: And." Section two, to "enacted that."
7 & 8 Vict. c. 47.	An Act to amend and continue for Five Years, and to the End of the next Session of Parliament, certain Acts relating to Linen, Hempen, and other Manufactures in Ireland. In part; namely,— Title, from "and continue" to "Parliament." Preamble. Section two, to "enacted that" and the word "said" before "first." Section three, to "from and after the passing of this Act." Section four. Section five, to "enacted that."
7 & 8 Vict. c. 49.	An Act for the better Regulation of Colonial Posts. In part; namely,— Preamble. Section two, to "declared that" and the words "for the time being." Sections three to five. The words "And be it enacted that" in sections nine and ten. Section nine, the words "commissioners of Her Majesty's," "after the passing of this Act," and "under their hands." Section ten, the word "that" before "the several."
7 & 8 Vict. c. 52	An Act to extend the Powers of the Act for the Appointment and Payment of Parish Constables. In part; namely,— Preamble. Section one, to "after the passing of this Act."

Reign and Chapter.	Title.
7 & 8 Vict. c. 55.	An Act the title of which begins with the words "An Act to amend" and ends with the words "of such Tenure." In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section five, the word "that" before "it shall be lawful." Section eight, the word "that" before "all proceedings."
7 & 8 Vict. c. 56.	An Act concerning Banns and Marriages in certain District Churches or Chapels. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section two, the word "that" before "all banns."
7 & 8 Vict. c. 59.	An Act for better regulating the Offices of Lecturers and Parish Clerks. In part; namely,— Preamble from "And whereas" to end of preamble. Section one, to "from and after the passing of this Act" and from "provided that" to the end of the section. The words "And be it enacted that" in sections two, five, and six. Section two, the words "after the passing of this Act." The words "and be it enacted" in sections three and four.
7 & 8 Vict. c. 61.	An Act to annex detached Parts of Counties to the Counties in which they are situated. In part; namely,— Preamble. Section one. The words "And be it enacted that" in sections two and three. The words "and be it enacted" in sections four, five, and seven.
7 & 8 Vict. c. 68.	An Act the title of which begins with the words "An Act to suspend" and ends with the words "of such Jurisdictions." In part; namely,— Title, from "until" to "forty-seven." The words "And be it enacted that" wherever they occur.
7 & 8 Vict. c. 69.	An Act the title of which begins with the words "An Act for amending" and ends with the words "Jurisdiction and Powers." In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur, except in section eight. Section eight, the words "and be it enacted." Section nine, the word "that" before "the said judicial."

Reign and Chapter.	Title.
7 & 8 Vict. c. 71.	An Act for the better Administration of Criminal Justice in Middlesex. In part; namely,— Preamble. The whole Act, except sections eight and nine. The words "And be it enacted that" in sections eight and nine. Section eight, the words "her heirs and successors," and "sergeant or."
7 & 8 Vict. c. 74.	An Act to explain and amend the Act for the Government of New South Wales and Van Diemen's Land. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section six, to "enacted that." Repealed as to all Her Majesty's dominions.
7 & 8 Vict. c. 81.	An Act for Marriages in Ireland; and for registering such Marriages. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur (except in sections twenty, thirty-eight, seventy-six, and eighty-one), and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections twenty, thirty-eight, seventy-six, and eighty-one. Section thirty-three, to "enacted that." Section forty-one, from "within" where it first occurs to "March and also" and the word "succeeding." Section forty-five, from "after the said" to "March" respectively occurring twice. Section fifty-three, from "lord high" to "Majesty's" and the words "or any three of them." Section fifty-four, from "said lord" to "Majesty's." Section sixty-five, from "the first" to "that time." Section sixty-six, from "the first" to "that time." Section seventy-two, the words "after the said thirty-first day of March."
7 & 8 Vict. c. 83.	An Act to amend the Laws relating to Savings Banks, and to the Purchase of Government Annuities through the Medium of Savings Banks. In part; namely,— Title from "and to" to the end of the title. Preamble. Section one, to "cease and that" and the words "that from and after the said twentieth day of November" where they secondly occur. The whole Act except sections one, fourteen, and fifteen. The words "And be it enacted that" in sections fourteen and fifteen.
7 & 8 Vict. c. 84.	An Act for regulating the Construction and the Use of Buildings in the Metropolis and its Neighbourhood. In part; namely,— The words "and be it enacted" in sections fifty-six, fifty-eight, and sixty-three.

Reign and Chapter.	Title.
7 & 8 Vict. c. 84. —*cont.*	Section fifty-four, to "enacted" and the word "that" except where it first and last occurs, the word "newly," and from "and that if any such business be now" to "in such situations." Section fifty-five, to "enacted" and the word "that" except where it first and last occurs. Section fifty-seven, to "enacted" and the word "that" wherever it occurs. Section fifty-nine. Section sixty, the words "and be it declared." Section sixty-one, to "enacted" and the word "that" where it first and last occurs. Section sixty-two, to "enacted" and the word "that" before "if her Majesty" and before "if such rate."
7 & 8 Vict. c. 85.	An Act to attach certain Conditions to the Construction of future Railways authorised or to be authorised by any Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur except in sections three, eight, and eighteen. The words "and be it enacted" in sections three, eight, and eighteen. Section six, to "enacted that." Section eleven, to "enacted that." Section thirteen, to "enacted that." Section nineteen, to "this Act." Section twenty-five, the word "that" before "where a."
7 & 8 Vict. c. 86.	An Act the title of which begins with the words "An Act for the Relief" and ends with the words "in certain Cases." In part; namely,— Title from "who have" to "their Contracts" and the words "to the Enrolment of such Contracts and." Section four, to "enacted that."
7 & 8 Vict. c. 87.	An Act to amend the Law for regulating Places kept for slaughtering Horses. In part; namely,— Preamble and section one, to "same that" and the words "after the passing of this Act." The words "And be it enacted that" wherever they occur. Section nine, the word "that" before "every such witness."
7 & 8 Vict. c. 89.	An Act for auditing the Accounts of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings. In part; namely,— Preamble and section one, to "same that" and the word "said" where it first occurs. The words "And be it enacted that" wherever they occur. Section two, the words "commissioners of Her Majesty's."

Reign and Chapter.	Title.
7 & 8 Vict. c. 90.	An Act the title of which begins with the words "An Act for the Protection" and ends with the words "Limitation of Actions." In part; namely,— Preamble. The words "And be it enacted that" wherever they occur (except in sections seven to nine and fifteen) and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections seven to nine and fifteen. Section one, to "same that" and the words "for the charge of three shillings or of one shilling," and the word "that" before "from and" before "all books," before "upon the" before "such books" and before "all judgments." Section two, from "and such officer" to the end of the section. Section three, from "for abolishing" to "cases, and" from "from and after" to "forty-four" where it first occurs and the words "for the charge of three shillings or of one shilling." Section four, from "and such officer" to the end of the section. Section seven. Section ten, to "forty-four" from "and such officer" to "sixpence," and the words "and the fee payable to the officer thereon." Section eleven, to "forty-four" the words "her heirs or successors" wherever they occur, from "and such officer" to "sixpence," and from "on payment" to the end of the section. Section twelve, the word "that" before "said book" and before "all persons," and from "and no additional" to the end of the section. Section thirteen, from "and shall" to the end of the section. Section fourteen, to "enacted that," the words "commissioners of Her Majesty's," "her heirs or successors," and "under their hands," and from "of the United" to "three of them." Section fifteen, the words "her heirs or successors." Section seventeen, to "forty-five." Section twenty-one, from "and shall for that" to the end of the section. Section twenty-two, to "forty-four; and," and from "and to receive" to "of the said registrar," the words "and clerks," and from "and any expense" to the end of the section. Sections twenty-three to twenty-nine. Section thirty, the words "or any assistant clerk" "or assistant clerk" and "or clerk." Section thirty-two, to "of this Act," the words "and clerks," from "or assistant" to "of them," and the words "or clerk." Section thirty-three, the words "after the passing of this Act," "or clerk" where they first and last occur, and "or clerks or any of them." Sections thirty-four to forty.

Reign and Chapter.	Title.
7 & 8 Vict. c. 91.	An Act to consolidate and amend the Laws relating to Turnpike Trusts in South Wales. In part; namely,— The whole Act, except sections one hundred and six, one hundred and seven, one hundred and nine, one hundred and ten to one hundred and twelve, and one hundred and fourteen.
7 & 8 Vict. c. 92.	An Act to amend the Law respecting the office of County Coroner. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur. Section four, from "and to determine" to "hereinafter provided." Section five, the words "shall be elected to, and" and the word "so." Section seven. Section nineteen, from "and may be" to "at large" where those words next occur, and from "by the freeholders" to the end of the section. Section twenty, the words "or elected by the electors of" and the words "or elected" twice occurring. Section twenty-seven, the words "the county of Chester, or" and "county palatine." Section twenty-eight, from "and that" to the end of the section. Section twenty-nine.
7 & 8 Vict. c. 94.	An Act to explain and amend an Act for making better Provision for the Spiritual Care of populous Parishes. In part; namely,— Preamble and section one, to "same that." The words "And be it declared and enacted that" wherever they occur. Section three, the words "and be it enacted." Section six, the words "for England." Section eleven, to "enacted that."
7 & 8 Vict. c. 95.	An Act to amend an Act of the Ninth Year of King George the Fourth, for the Preservation of the Salmon Fisheries in Scotland. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur.
7 & 8 Vict. c. 96.	An Act to amend the Law of Insolvency, Bankruptcy, and Execution. In part; namely,— Title, the words "Insolvency, Bankruptcy, and." The words "And be it enacted that" wherever they occur. Section sixty-eight, the words "or in the Court of Common Pleas at Lancaster." Section seventy-two, the words "or of the Court of Common Pleas at Lancaster."

Reign and Chapter.	Title.
7 & 8 Vict. c. 97.	An Act for the more effectual Application of Charitable Donations and Bequests in Ireland. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur (except in section six), and the word "that" wherever it occurs with reference to the introductory words so repealed. Section six, the words "and be it enacted." Section seven, from "or other" to "Ireland" and the words "commissioners of Her Majesty's" and "said commissioners of Her Majesty's." Section eight. Section fourteen the words "commissioners of Her Majesty's" and "the said commissioners of." Section nineteen. Section twenty, the words "from and after the commencement of this Act."
7 & 8 Vict. c. 101.	An Act for the further Amendment of the Laws relating to the Poor in England. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur (except in sections thirty-six and sixty-five), and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections thirty-six and sixty-five. Section six, to "enacted that." Section seven, to "enacted," and the word "that" before "after the death." Section thirteen, to "this Act." Section fourteen, to "enacted that." Section seventeen, to "enacted that" and the word "said." Section twenty-two, to "Act" where it first occurs. Section thirty-one, to "enacted that." Section forty-one, to "enacted that." Section sixty-one, to "Be it enacted that." Section sixty-six, to "enacted that." Section seventy-four, from "to continue" to "commission; and."
7 & 8 Vict. c. 106.	An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of Dublin. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur (except in sections eleven, thirty-two, sixty-six, one hundred and twenty-four, one hundred and twenty-seven, and one hundred and forty-four), and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections eleven, thirty-two, sixty-six, one hundred and twenty-four, one hundred and twenty-seven, and one hundred and forty-four. Section five, from "after" to "forty-five."

Reign and Chapter.	Title.
7 & 8 Vict. c. 106. —*cont.*	Section seven, the words "of Ireland" and from "at the next" to "Act, or" and the word "succeeding." Section nine, the words "of Ireland." Section twenty-six, the words "of Ireland" "or other chief governor or governors" and "Commissioners of Her Majesty's" and from "of the United" to "Ireland." Section twenty-seven, the words "of Ireland." Section twenty-nine, the words "of Ireland." Section thirty, the words "of Ireland." Section thirty-six, the words "said Commissioners of Her Majesty's" and "or any three or more of them." Section thirty-seven, the words "of Ireland," "of the Lord Lieutenant for the time being," "Commissioners of Her Majesty's," and "or any three or more of them." Section thirty-eight, from "or other" where first occurring to "time being," the words "or they," and the words "or other chief governor or governors," where they last occur. Section forty-five, from "from and after" to "forty-five." Section fifty. Section sixty-two, to "enacted that" the words "for the time being" and from "or other" to "Ireland." Section sixty-five, the words "Commissioners of Her Majesty's" and "or any three or more of them." Section sixty-eight, from "at the Michaelmas" to "Act, and" and the word "succeeding." Section sixty-nine, to "enacted that" from "at Michaelmas" to "this Act, and" and the word "succeeding." Section seventy, from "after the first" to "except the first." Section eighty-one, to "enacted that." Section eighty-eight, the words "her heirs and successors." Section one hundred and ten, the words "at any time "after the first day of January one thousand eight "hundred and forty-five" wherever they occur. Section one hundred and eighteen, the words "be it further enacted that" and the word "that" before "the grand jury." Section one hundred and twenty, the words "from and after the passing of this Act," and from "lord high" to "Majesty's" and the words "or any three of them." Section one hundred and twenty-one, the words "or other chief governor or governors of Ireland." Section one hundred and twenty-two, to "commencement of this Act." Section one hundred and twenty-nine, to "that hereafter." Section one hundred and thirty. Section one hundred and fifty-four, to "enacted that." Section one hundred and fifty-six, from "the words lord" to "time being; and."

Reign and Chapter.	Title.
7 & 8 Vict. c. 107.	An Act to regulate and reduce the Expences of the Offices attached to the Superior Courts of Law in Ireland payable out of the Consolidated Fund. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, except in section thirty-three, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section three, to "forty-four." Section six, the words "after the passing of this Act," and from "for abolishing" to "cases." Section seven, from "or other" to "time being." Section nine, to "Act." Section ten, to "the commencement of this Act," and the word "that" before "when." Section fifteen, to "forty-four" and the words "the said governor and company of" occurring twice. Section nineteen, the words "the said commissioners of." Section twenty-four, to "Act." Section twenty-five, to "enacted that" and the word "that." Section thirty-one, the words "after the passing of this Act." Section thirty-two, to "enacted that" and the word "such" before "retailer." Section thirty-three, the words "and be it enacted." Section thirty-nine.
7 & 8 Vict. c. 108.	An Act the title of which begins with the words "An Act to amend" and ends with the words "the Irish Fisheries." In part; namely,— Preamble and section one, to "same that," and from "or other" to the end of the section. The words "And be it enacted that" in sections two and six. Section three, to "enacted that" and the word "that" wherever it occurs, except before "behalf." Section four, to "enacted that" and the word "that" before "such." Section five, to "therefore enacted that." Section seven, to "enacted that." Section eight, to "enacted that."
8 & 9 Vict. c. 10.	An Act to make certain Provisions for Proceedings in Bastardy. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur. Section nine, to "enacted that" and the word "that" before "the sitting." Section ten, the word "that" before "where there are."

Reign and Chapter.	Title.
8 & 9 Vict. c. 15.	An Act to repeal the Duties of Excise on Sales by Auction, and to impose a new Duty on the Licence to be taken out by all Auctioneers in the United Kingdom. In part; namely,— Title, from "to repeal" to "Auction, and." Preamble. The words "And be it enacted that" wherever they occur. Section two, to "this Act," and from "her heirs" to "throughout the United Kingdom."
8 & 9 Vict. c. 16.	An Act for consolidating in One Act certain Provisions usually inserted in Acts with respect to the Constitution of Companies incorporated for carrying on Undertakings of a public nature. In part; namely,— Preamble and section one, to "same that." Section four, to "enacted that." Section one hundred and sixty-four, the words "and be it enacted."
8 & 9 Vict. c. 17.	An Act for consolidating in One Act certain Provisions usually inserted in Acts with respect to the Constitution of Companies incorporated for carrying on Undertakings of a public nature in Scotland. In part; namely,— Preamble and section one, to "same that." Section four, to "enacted that." Section fifteen, to "of Scotland" and the word "said." Section one hundred and twenty-one, to "enacted that."
8 & 9 Vict. c. 18.	An Act for consolidating in One Act certain Provisions usually inserted in Acts, authorising the taking of Lands for Undertakings of a public nature. In part; namely,— Preamble and section one, to "same that." Section four, to "enacted that." Section eighty-eight, the words "the governor and company of." Section one hundred and forty-eight, the words "and be it enacted."
8 & 9 Vict. c. 19.	An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature in Scotland. In part; namely,— Preamble and section one, to "same that." Section four, to "enacted that."
8 & 9 Vict. c. 20.	An Act for consolidating in one Act certain Provisions usually inserted in Acts authorizing the making of Railways. In part; namely,— Preamble and section one, to "same that." Section three, from "the expression the Board" to "plantations." Section four, to "enacted that." Section seventeen, the words "her heirs and successors." The recital preceding section twenty-five, to "same: Therefore"

Reign and Chapter.	Title.
8 & 9 Vict. c. 20. —*cont.*	Section twenty-nine, to "enacted that." Section sixty-six, to "enacted that." Section one hundred and fifty-nine, the words "and be it enacted."
8 & 9 Vict. c. 26.	An Act to prevent fishing for Trout or other Fresh-water Fish by Nets in the Rivers and Waters in Scotland. In part; namely,— Preamble and section one, to "same that," and the words "after the passing of this Act." The words "And be it enacted that" wherever they occur. Section ten, the word "that" wherever it occurs.
8 & 9 Vict. c. 28.	An Act to empower Canal Companies and the Commissioners of Navigable Rivers to vary their Tolls, Rates, and Charges on different Parts of their Navigations. In part; namely,— Preamble and section one, to "Act and." The words "and be it enacted" in sections two to five. Section six, to "enacted that."
8 & 9 Vict. c. 30.	An Act to amend an Act passed in the Third and Fourth years of the Reign of His late Majesty King William the Fourth, intituled "An Act for the better Administration of Justice in His Majesty's Privy Council." Repealed as to all Her Majesty's Dominions.
8 & 9 Vict. c. 32.	An Act to alter and amend the Laws enabling Justices of the Peace in certain Cases to borrow Money on Mortgage of the County Rates, so far as the same relate to the County of Middlesex.
8 & 9 Vict. c. 33.	An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways in Scotland. In part; namely,— Preamble and section one, to "same that." Section three, from "The expression the Board" to the end of the section. Section four, to "enacted that." Section seventeen, the words "her heirs and successors." Section fifty-eight, to "enacted that."
8 & 9 Vict. c. 35.	An Act to simplify the Form and diminish the Expence of obtaining Infeftment in Heritable Property in Scotland. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section nine, to "always that."
8 & 9 Vict. c. 37.	An Act to regulate the Issue of Bank Notes in Ireland, and to regulate the Repayment of certain Sums advanced by the Governor and Company of the Bank of Ireland for the Public Service. In part; namely,— Title, the words "the Governor and Company of." Preamble and section one, to "same that."

Reign and Chapter.	Title.
8 & 9 Vict. c. 37. —*cont.*	The words "And be it enacted that" wherever they occur (except in sections nine and twenty-eight), and the word "that" wherever it occurs with reference to the introductory words so repealed. Section two, to "this Act." Section four, to "fifty-five," from "or other" to "Ireland" where it first occurs, and the words "the said Governor and Company of." Section six, the words "the Governor and Company of" except where they first occur. Section seven, to "passing of this Act," and the words "the Governor and Company of." Section eight, to "if any; and" from "after the sixth" where those words first occur to "forty-five" where it next occurs, and from "from and after" to "forty-five." Section nine, the words "and be it enacted." Section eleven, the words "subsequently to the passing of this Act." Section twelve, the words "the Governor and Company of" where they last occur. Section fourteen, to "forty-five." Section sixteen, from "after the thirteenth" to "forty-five." Section twenty-one, to "enacted that" and the words "Commissioners of Her Majesty's." Section twenty-seven, the words "from and after the passing of this Act." Section twenty-eight, the words "and be it enacted." Section twenty-nine, from "in no such proceeding" to "allowed; and." Section thirty, to "this Act" where those words first occur. Section thirty-two, the words "the Governor and Company of."
8 & 9 Vict. c. 38.	An Act to regulate the Issue of Bank Notes in Scotland. In part; namely,— Preamble and section one, to "if any; and" from "after the sixth day of December" where those words first occur to "forty-five" where it next occurs, and from "from and after" to "forty-five." The words "And be it enacted that" wherever they occur (except in sections two and twenty), and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections two and twenty. Section five, from "from and after" to "forty-five." Section six, to "forty-five." Section seven, from "after the sixth" to "forty-five" where first occurring, and from "after the thirteenth" to "forty-five." Section nine, the word "said" before "sixth." Section twelve, to "enacted that" and the words "commissioners of Her Majesty's." Section fifteen, to "declared that" and the words "the Governor and Company of" where twice occurring.

Reign and Chapter.	Title.
8 & 9 Vict. c. 38. —*cont.*	Section sixteen, from "from and after" to "and forty-six" where those words next occur, and from "after the first" to "forty-six." Section eighteen, from "from and after" to "forty-six." Section nineteen, the words "from and after the passing of this Act." Section twenty-two, the words "the Governor and Company of."
8 & 9 Vict. c. 39.	An Act to amend the Law of Arrestment of Wages in Scotland. In part; namely,— Preamble and section one, to "Act."
8 & 9 Vict. c. 41.	An Act for amending the Laws concerning the Highways, Bridges, and Ferries in Scotland, and the making and maintaining thereof by Statute Service, and by the Conversion of Statute Service into Money.
8 & 9 Vict. c. 42.	An Act to enable Canal Companies to become Carriers of Goods upon their Canals. In part; namely,— Preamble. Section one, to "from and after the passing of this Act." The words "and be it enacted" in sections two, four, six, and twelve. The words "And be it enacted that" in sections three, five, eight to eleven, and thirteen. Section seven, to "enacted that."
8 & 9 Vict. c. 46.	An Act for the Appointment of additional Constables for keeping the Peace near Public Works in Ireland. In part; namely,— Preamble. Section one, to "from and after the passing of this Act," the words "or other chief governor or governors of Ireland," and "or they" wherever they respectively occur, and the words "or are." Section two, the words "or other chief governor or governors." The words "And be it enacted that" in sections two and three.
8 & 9 Vict. c. 56.	An Act, the title of which begins with the words "An Act to alter" and ends with the words "by way of Mortgage." In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, except in section thirteen. Section thirteen, the words "and be it enacted." Section fourteen, the word "that" where it secondly occurs.
8 & 9 Vict. c. 61.	An Act to make certain further Provisions for the Consolidation of Turnpike Trusts in South Wales. In part; namely,— Preamble. Section one, to "of this Act." Section two, to "enacted that." Sections three, nine, eleven, and fourteen. Schedules.

Reign and Chapter.	Title.
8 & 9 Vict. c. 63.	An Act to facilitate the Completion of a Geological Survey of Great Britain and Ireland, under the Direction of the First Commissioner for the Time being of Her Majesty's Woods and Works. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section six, the words "or stewards" and "or stewartries."
8 & 9 Vict. c. 64.	An Act to amend certain Regulations respecting the Retail of Spirits in Ireland. In part; namely,— Preamble. Section one, to "same that" and the words "above recited and." Section two, the words "from after the passing of this Act."
8 & 9 Vict. c. 66.	An Act to enable Her Majesty to endow new Colleges for the Advancement of Learning in Ireland. In part; namely,— The words "And be it enacted that" wherever they occur, except in section ten. Section four, the words "Commissioners of her Majesty's," "said Commissioners of her Majesty's," and "her heirs and successors." Section five, the words "Commissioners of her Majesty's." Section six, the words "Commissioners of her Majesty's" wherever they occur, and the word "said" before the words so repealed. Section seven, the words "Commissioners of her Majesty's," "said Commissioners of the," and "said Commissioners of her Majesty's" wherever they respectively occur. Section nine, the words "Commissioners of her Majesty's." Section ten, the words "her heirs and successors" wherever they occur, from "in her Majesty" where these words secondly occur, to "and afterwards," and the word "otherwise." Section eleven, the words "her heirs and successors." Section twelve, the words "said Commissioners of her Majesty's" and "under the hands of any three or more of them," and the words "her heirs and successors" occurring twice, and from "after providing" to "future charges," from "on the fifth" where those words first occur, to "every year," and from "the first" to the end of the section. Section ten, the words "and be it enacted." Section thirteen, to "enacted that," and the words "her heirs and successors." Section fourteen, to "enacted that" and the words "her heirs and successors." Section fifteen, to "enacted that." The words "her heirs and successors" wherever they occur in sections seventeen to nineteen. Section eighteen, to "enacted that."

Reign and Chapter.	Title.
8 & 9 Vict. c. 68.	An Act to stay Execution of Judgment for Misdemeanors upon giving Bail in Error.
8 & 9 Vict. c. 69.	An Act to amend an Act of the Sixth Year of Her present Majesty, for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section nine, to "of this Act."
8 & 9 Vict. c. 70.	An Act for the further Amendment of the Church Building Acts. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur, except in section eight. Section six, to "enacted" and the word "that" before "in all cases." Section seven, to "enacted" and the word "that" before "in all cases." Section eight, the words "and be it enacted." Section nine, to "enacted that." Section fourteen, to "therefore enacted that." Section seventeen, to "enacted" and the word "that" before "the church."
8 & 9 Vict. c. 71.	An Act to extend certain Provisions in the Act for consolidating and amending the Laws relating to Highways in England. In part; namely,— Preamble and section one, to "of this Act." Section two, to "enacted that."
8 & 9 Vict. c. 74.	An Act the title of which begins with the words "An Act to amend" and ends with the words "Provisions of the said Act." In part; namely,— Title, from "and to discontinue" to the end of the title. Preamble. Section three, to "this Act," and the words "her heirs and successors." Section four, the words "and be it enacted" and the words "from and after the passing of this Act" and from "Provided always," where those words last occur, to the end of the section.
8 & 9 Vict. c. 75.	An Act to amend an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled "An Act to "amend the Law respecting defamatory Words and "Libel." In part; namely,— Preamble. Section one, to "same that" and the words "as provided by such Act." Section two, to "enacted that," and the words "as provided by said Act."

Reign and Chapter.	Title.
8 & 9 Vict. c. 76.	An Act the title of which begins with the words "An Act to increase," and ends with the words "Bank Notes in England." In part; namely,— Title, from "to reduce" to "in Ireland." Preamble and section one, to "same that" and the words "her heirs and successors." Section four, to "this Act." Section five, to "this Act," and the words "of debt, bill, plaint," and from "in no such" to "allowed; and."
8 & 9 Vict. c. 77.	An Act to make further Regulations respecting the Tickets of Work to be delivered to Persons employed in the Manufacture of Hosiery, in certain Cases. In part; ramely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur, except in section three. Section three, the words "and be it enacted." Section eight, the word "that" before "when any."
8 & 9 Vict. c. 80.	An Act for regulating the Criminal Jurisdiction of Assistant Barristers as to certain Counties of Cities and Counties of Towns in Ireland. In part; namely,— Preamble and to "passing of this Act" and the subsequent words "that from and after the passing of this Act," and the word "that" before "the said" and before "a general."
8 & 9 Vict. c. 81.	An Act to amend an Act of the last Session, for consolidating and amending the Laws for the Regulation of Grand Jury Presentments in the County of Dublin. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur. Section two, to "passing of this Act" from "lord high" to "Majesty's," and the words "or any three of them" and "his or their," and from "or other" to "time being." Section three, the words "and it is hereby declared and enacted" from "lord high" to "Majesty's" and the words "or any three of them." Section four, the words "commissioners of her Majesty's," "or other chief governor or governors," and "of Ireland" wherever those words respectively occur. Section five, the words "commissioners of her Majesty's." Section eleven, to "passing of this Act."
8 & 9 Vict. c. 83.	An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in Scotland. In part; namely,— Preamble and section one, to "same that," and the words "and stewart substitute." The words "And be it enacted that" wherever they occur, except in section seventy-five.

Reign and Chapter.	Title.
8 & 9 Vict. c. 83. —*cont.*	Section two, the words "her heirs and successors" occurring twice. Section four, the words "her heirs and successors" from "lord high" to "Majesty's," and from "of the United" to "more of them." Section five, from "shall meet" to "members and," the words "thereafter," "at such first meeting and," and "other." Section eleven, from "lord high" to "Majesty's," and the words "he or." Section fourteen, from "lord high" to "Majesty's" and the words "or any three or more of them." Section thirty-two, from "on the third" to "year or" and the word "thereafter." Section fifty, to "declared that." Section sixty, to "enacted that." Section sixty-three, to "passing of this Act." Section sixty-eight, to "passing of this Act." Section seventy-five, the words "and be it enacted." Section seventy-six, to "passing of this Act."
8 & 9 Vict. c. 90.	An Act for granting Duties of Customs. In part; namely,— Sections nine to twelve. Repealed as to all Her Majesty's Dominions.
8 & 9 Vict. c. 96.	An Act to restrict the Powers of selling or leasing Railways contained in certain Acts of Parliament relating to such Railways. In part; namely,— To "same that."
8 & 9 Vict. c. 99.	An Act the title of which begins with the words "An Act to amend," and ends with the words "the said Land Revenue." In part; namely,— Preamble and section one, to "this Act," and the words "her heirs and successors." The words "And be it enacted that" wherever they occur. Section four, to "of this Act." Section eight, to "enacted that." Section nine, to "therefore enacted that," from "lord high" to "Majesty's," and the words "for the time being" where they last occur, and the words "her heirs and successors."
8 & 9 Vict. c. 106.	An Act to amend the Law of Real Property. In part; namely,— The word "that" wherever it occurs, except in section three after "always." Section two, the word "said."
8 & 9 Vict. c. 107.	An Act the title of which begins with the words "An Act for the Establishment" and ends with the words "District Lunatic Asylum." In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed.

Reign and Chapter.	Title.
8 & 9 Vict. c. 107. —*cont.*	Section three, the words "Commissioners of Her Majesty's," "said commissioners of Her Majesty's," and "her heirs and successors." Section four, the words "Commissioners of Her Majesty's." Section five, the words "Commissioners of Her Majesty's" wherever they occur, the word "said" before the words "so repealed," and the words "under their hands." Section six, the words "Commissioners of Her Majesty's," and "said Commissioners of Her Majesty's" wherever they occur, and the words "said Commissioners of the." Section eight, the words "or other chief governor or governors of Ireland" and "for the time being," wherever they occur. Section nine, from "or other" where those words first occur to "time being," and from "or other" to "of Ireland." Section ten. Section eleven, the words "of Ireland for the time being," "or they," "or hands," and "and they," and the words "or other chief governor or governors" and "or their" wherever they respectively occur. Section twelve, the words "or other chief governor or governors" wherever they occur, and "or they," "or hands," and "or their" twice occurring. Section thirteen, to "repealed and that," the word "that" before "the care," and from "or other" to the end of the section. Section fourteen, to "Be it enacted that" from "or other" to "Ireland," and the words "or them." Section fifteen, the words "or other chief governor or governors of Ireland" occurring twice, and "or them." Section seventeen, to "Be it enacted that" the words "as aforesaid," and from "from" to "Act." Section nineteen, to "next." Section twenty, to "day." Section twenty-one, to "September." Section twenty-two, the words "or other chief governor or governors of Ireland" occurring twice, and "for the time being." Section twenty-three, to "enacted that." Section twenty-five, to "passing of this Act."
8 & 9 Vict. c. 108.	An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty, for regulating the Irish Fisheries. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, except in sections four and twelve. The words "and be it enacted" in sections four and twelve. Section two, from "after" to "forty-five." Section ten, to "enacted that."

Reign and Chapter.	Title.
8 & 9 Vict. c. 108. —*cont.*	Section eleven, the words "from and after the passing of this Act." Section sixteen, to "declared that." Section twenty-five, the word "that."
8 & 9 Vict. c. 109.	An Act to amend the Law concerning Games and Wagers. In part; namely,— The words "And be it enacted that" wherever they occur. Section nine, to "enacted that." Section eleven, to "passing of this Act" and from "after the said" to "October." Section eighteen, the word "that" before "no suit." Section twenty, the word "that" before "every such."
8 & 9 Vict. c. 112.	An Act to render the Assignment of satisfied Terms unnecessary. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur.
8 & 9 Vict. c. 113.	An Act to facilitate the Admission in Evidence of certain official and other Documents. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" in sections two, three, and five. Section four, the words "and be it enacted."
8 & 9 Vict. c. 114.	An Act for the Abolition of certain Fees in Criminal Proceedings. In part; namely,— Preamble and section one, to "same that." Section two.
8 & 9 Vict. c. 115.	An Act for the Appointment of a Taxing Master for the High Court of Chancery in Ireland. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, except in section eleven. Section one, to "forty-five" and from "and the business" to the end of the section. Section two, the word "that" before "as often." Section three, the word "that" before "in case." Section six, the words "Commissioners of Her Majesty's" and from "and such taxing master" to the end of the section. Section eight, to "of this Act" and the words "that from and after the said thirtieth day of November." Sections nine and ten. Section eleven, the words "and be it enacted." Section thirteen. Section fourteen, from "shall grow" to "direct and," and the words "Commissioners of Her Majesty's."

Reign and Chapter.	Title.
8 & 9 Vict. c. 117.	An Act to amend the Laws relating to the Removal of poor Persons born in Scotland, Ireland, the Islands of Man, Scilly, Jersey, or Guernsey, and chargeable in England. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur. Section seven, the word "that" wherever it occurs.
8 & 9 Vict. c. 118.	An Act the title of which begins with the words "An Act to facilitate" and ends with the words "Powers in certain Cases." In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, except in sections twelve to fourteen, twenty-two, twenty-nine, thirty-six, forty-nine, fifty-one, fifty-two, fifty-six, fifty-seven, sixty, eighty-one, eighty-eight, eighty-nine, ninety-six to ninety-eight, one hundred and seven, one hundred and twenty-five, one hundred and twenty-seven, one hundred and thirty-one, one hundred and forty-two, and one hundred and fifty. The words "and be it enacted" in sections twelve to fourteen, twenty-two, twenty-nine, thirty-six, forty-nine, fifty-one, fifty-two, fifty-six, fifty-seven, sixty, eighty-one, eighty-eight, eighty-nine, ninety-six to ninety-eight, one hundred and seven, one hundred and twenty-five, one hundred and twenty-seven, one hundred and thirty-one, one hundred and forty-two, and one hundred and fifty. Section nine, the word "that" before "the Commissioners." Section seventy-three, the words "unless the same "shall be otherwise awarded under the provision "herein-after contained," the words "and subject thereto in aid of the rates for the repair "of the public highways in the said parish or "respective parishes," and from "subject nevertheless" to "herein-after provided." Section seventy-four, to "his allotment; and." Section seventy-five to "the award; and." Section seventy-eight. Section one hundred and six, the word "that" before "from and." Section one hundred and nine, from "and the rent" to "such valuations." Section one hundred and twelve, from "and the residue" to the end of the section.
8 & 9 Vict. c. 124.	An Act to facilitate the granting of certain Leases. In part; namely,— Preamble and section one, to "same that," and the word "that" at the commencement of sections two to eight.

Reign and Chapter.	Title.
8 & 9 Vict. c. 127.	An Act for the better securing the Payment of Small Debts. In part; namely,— The words "And be it enacted that" wherever they occur, except in section sixteen. Section eight, to "Act." Section nine, the words "or special pleader." Section sixteen, the words "and be it enacted." Section twenty-one, from "or into" to "Lancaster." Section twenty-three, to "enacted that." Section twenty-four, the words "or a special pleader."
8 & 9 Vict. c. 128.	An Act to make further Regulations respecting the Tickets of Work to be delivered to Silk Weavers in certain Cases. In part; namely,— Preamble and section one, to "same that." Sections four and five, and section six to "convicted; and," and section eight, from "and that" to the end of the section; repealed as to England. The words "And be it enacted that" wherever they occur except in section three. Section three, the words "and be it enacted." Section eight, the word "that" before "when any."
9 & 10 Vict. c. 1.	An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in Ireland. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur. Section three, to "from and after the passing of this Act." Section four, the words "or other chief governor or governors of Ireland." Section six, to "therefore enacted that" and the words "Commissioners of Her Majesty's," and "or any three or more of them." Section seven, to "enacted that." Section eight, the word "that" before "no second." Section twelve, from "and the expression Commissioners" to "three or more of them," from "and also all bishops" to "respective characters," and from "and the expression 'High'" to "remembrancer."
9 & 10 Vict. c. 2.	An Act the title of which begins with the words "An Act to authorize" and ends with the words "Presentments in Ireland." In part; namely,— Title, from "to authorise" to "and also." Section twenty, to "enacted that."
9 & 10 Vict. c. 3.	An Act to encourage the Sea Fisheries of Ireland, by promoting and aiding with Grants of public Money the Construction of Piers, Harbours, and other Works. In part; namely,— Preamble and section one, to "same that."

Reign and Chapter.	Title.
9 & 10 Vict. c. 3. —*cont.*	The words "And be it enacted that" wherever they occur, except in sections eighteen, thirty-six, forty-two, forty-three, forty-six, fifty, seventy-one, and eighty-five. The words "and be it enacted" in sections eighteen, thirty-six, forty-two, forty-three, forty-six, fifty, seventy-one, and eighty-five. Section two, the word "that" before "in all" and before "no such." Section five, the words "Commissioners of Her Majesty's" and "said Commissioners of the." Section nine, the words "Commissioners of Her Majesty's" occurring twice and "or any three or more of them." Section ten, the words "Commissioners of Her Majesty's" "the said Commissioners of" and "the Commissioners of." Section eleven, the words the "Commissioners of." Section fifteen, the words "said Commissioners of Her Majesty's" twice occurring. Section sixteen, the words "Commissioners of Her Majesty's." Section twenty-four, the words "said Commissioners of Her Majesty's." Section forty-one, the words "or Exchequer" wherever they occur. Section forty-two, the words "or Exchequer." Section forty-five, the words "or Exchequer." Section forty-six, the words "or Exchequer." Section fifty-one, the words "the Commissioners of." Section sixty, the words "or Exchequer." Section seventy, the words "or other chief governor or governors of Ireland," "or their," and "under his or their hands." Section seventy-two, from "or to be" to the end of the section. Section eighty-six, the words "Commissioners of Her Majesty's," and "the said Commissioners of" occurring twice. Section eighty-seven, from "and the expression Commissioners" to "any three or more of them."
9 & 10 Vict. c. 4.	An Act the title of which begins with the words "An Act to amend" and ends with the words "the present Year." In part; namely,— Title from "and to afford" to the end of the title. Preamble. Section one, to "same that," the word "that" before "in all cases," and the words "from and after the first day of January in this present year." The words "And be it enacted that" wherever they occur (except in sections twelve and twenty-two), and the word "that" wherever it occurs with reference to the introductory words so repealed. Section six, to "passing of this Act."

Reign and Chapter.	Title.
9 & 10 Vict. c. 4. —*cont.*	Section ten, to "enacted that" the words "Commissioners of Her Majesty's" occurring twice, and from "of the United" to "Ireland" where they respectively first occur, and the words "last-mentioned" wherever they occur. Section eleven, to "therefore enacted that." The words "and be it enacted" in sections twelve and twenty-two. Section eighteen, the words "or Exchequer." Section twenty-four, to "enacted that." Section twenty-seven, from "from and after" to "present year." Section twenty-eight, the words "Commissioners of Her Majesty's." Section thirty-one, the words "Commissioners of Her Majesty" occurring twice, "or any three or more of them," and "said Commissioners of the." Section thirty-seven, to "enacted that." Section forty-two, the words "or other chief governor or governors of Ireland" occurring twice. Section forty-three, to "enacted that."
9 & 10 Vict. c. 17.	An Act for the Abolition of the exclusive Privilege of trading in Burghs in Scotland. In part; namely,— Preamble. Section one, to "cease, and" and from "Provided always" to end of section. Section two, to "enacted that." Section three, to "enacted that."
9 & 10 Vict. c. 20.	An Act, the title of which begins with the words "An Act to amend," and ends with the words "Authority of Parliament." In part; namely,— Preamble. The words "And be it enacted that" wherever they occur.
9 & 10 Vict. c. 24.	An Act for removing some Defects in the Administration of Criminal Justice. In part; namely,— Preamble and section one, to "same that." Sections three and four.
9 & 10 Vict. c. 33.	An Act to amend the Laws relating to Corresponding Societies and the Licensing of Lecture Rooms. In part; namely,— Preamble and section one, to "from and after the passing of this Act" and the words "made or incurred or."
9 & 10 Vict. c. 37.	An Act to amend the Laws relating to the Office of Coroner and the Expences of Inquests in Ireland. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur (except in section thirty), and the word "that" wherever it occurs with reference to the introductory words so repealed.

Reign and Chapter.	Title.
9 & 10 Vict. c. 37. —*cont.*	Section two, to "passing of this Act," from "or other" to "time being," and the words "or they." Section four, from "or other" to "time being," and the words "or they." Section seven, the words "for two days only," the words "in each day," and the words "of either of the said days." Section sixteen, the words "from and after the passing of this Act," occurring twice. Section nineteen, to "passing of this Act." Section thirty, the words "and be it enacted." Section thirty-three, to "passing of this Act." Section thirty-seven, to "passing of this Act." Section forty-two, the words "from and after the passing of this Act." Section forty-six, to "from and after the passing of this Act." Section forty-seven. Section fifty, to "passing of this Act." Schedule C., the entry relating to any poor witness.
9 & 10 Vict. c. 57.	An Act for regulating the Gauge of Railways. In part; namely,— Preamble and section one, to "Act" where it first occurs. The words "And be it enacted that" wherever they occur. Section four, the words "after the passing of this Act."
9 & 10 Vict. c. 59.	An Act to relieve Her Majesty's Subjects from certain Penalties and Disabilities in regard to Religious Opinions. In part; namely,— Section one, to "same that."
9 & 10 Vict. c. 60.	An Act the title of which begins with the words "An Act to exempt," and ends with the words "in Ireland." In part; namely,— Preamble and section one, to "present year."
9 & 10 Vict. c. 61.	An Act the title of which begins with the words "An Act to amend" and ends with the word "Ireland." In part; namely,— To "of the same that."
9 & 10 Vict. c. 64.	An Act to enable Courts of Law in Ireland to give Relief against adverse Claims made upon Persons having no Interest in the Subject Matter of such Claims. In part; namely— Preamble. Section one, to "same that" and from "such application" to "plea." The words "And be it enacted that" in sections two, three, and seven. The words "and be it enacted" in sections four and five.

Reign and Chapter.	Title.
9 & 10 Vict. c. 66.	An Act to amend the Laws relating to the Removal of the Poor. In part; namely,— Preamble and section one, to "Act" where it first occurs. The words, "And be it enacted that" wherever they occur, except in section five. Section five, the words "and be it enacted."
9 & 10 Vict. c. 68.	An Act for better enabling the Burial Service to be performed in One Chapel where contiguous Burial Grounds shall have been provided for Two or more Parishes or Places. In part; namely,— Section one, the words "for England." The words "And be it enacted that" in sections two, three, and five. The words "and be it enacted" in section four. Section five, the words "for England."
9 & 10 Vict. c. 70.	An Act to amend the Act to facilitate the Inclosure and Improvement of Commons. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur, except in section two. Section two, the words "and be it enacted." Section twelve, to "enacted that."
9 & 10 Vict. c. 72.	An Act to amend the Act for Marriages in Ireland, and for registering such Marriages. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section three, to "enacted that."
9 & 10 Vict. c. 73.	An Act further to amend the Acts for the Commutation of Tithes in England and Wales. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur, except in section ten. Section ten, the words "and be it enacted." Sections one, two, and sixteen, except as to any tithes which have not been commuted.
9 & 10 Vict. c. 74.	An Act to encourage the Establishment of public Baths and Wash-houses. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section twenty, to "be it enacted that." Section twenty-one, the words "Commissioners of Her Majesty's" occurring twice. Section twenty-four, the words "Commissioners of Her Majesty's." Section thirty-one, the words "Commissioners of Her Majesty's" occurring twice. Section thirty-two, the words "Commissioners of Her Majesty's."

Reign and Chapter.	Title.
9 & 10 Vict. c. 76.	An Act for the Abolition of the exclusive Privilege of Trading, or of regulating Trades, in Cities, Towns, or Boroughs in Ireland. In part; namely,— Preamble. Section one, to "Ireland; and." The words "and be it enacted" in sections five and six.
9 & 10 Vict. c. 77.	An Act to amend the Acts relating to the Offices of the House of Commons. In part; namely,— Preamble and section one, to "same that." Section three, the words "Commissioners of Her Majesty's." Section five, to "enacted that" and the word "that" before "in the event."
9 & 10 Vict. c. 86.	An Act to extend and consolidate the Powers hitherto exercised by the Commissioners of Public Works in Ireland, and to appoint additional Commissioners. In part; namely,— Preamble. Section two, to "forty-six." The words "And be it enacted that" wherever they occur. Section four, to "enacted that." Section six, the word "that" before "the commissioners." Section nine, the words "Commissioners of Her Majesty's," "or any three or more of them," "said Commissioners of the" and "said Commissioners of Her Majesty's."
9 & 10 Vict. c. 87.	An Act for promoting the voluntary Establishment in Boroughs and certain Cities and Towns in Ireland of Public Baths and Washhouses. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section five, from "or other" to "time being." Section six, to "be it enacted that." The words "Commissioners of Her Majesty's" in sections seven, ten, seventeen, and eighteen.
9 & 10 Vict. c. 88.	An Act to remove Doubts as to the Legality of certain Assignments of Ecclesiastical Patronage. In part; namely,— Preamble and section one, to "same that" and the word "that" before "every."
9 & 10 Vict. c. 90.	An Act to prevent the Use of Stills by unlicensed Persons. In part; namely,— Preamble. Section one, to "from and after the passing of this Act," and the words "her heirs and successors." The words "And be it enacted that" wherever they occur.

Reign and Chapter.	Title.
9 & 10 Vict. c. 93.	An Act for compensating the Families of Persons killed by Accidents. In part; namely,— Section one, from "Be it therefore" to "same that." The words "And be it enacted that" wherever they occur, except in section three. Section three, the words "and be it enacted."
9 & 10 Vict. c. 97.	An Act, the title of which begins with the words "An Act to provide" and ends with the words "Constabulary Force." In part; namely,— Preamble. Section two, to "October next" and the words "commissioners of her Majesty's" and "or any three or more of them." Section three, the words "or other chief governor or governors of Ireland," and "or they" wherever they respectively occur, from "and thereupon" to "should be removed," and the words "exceeding the numbers aforesaid." Section four, to "enacted that," and the words "or other chief governor or governors" occurring twice, and "or are." Section five, the words "and be it enacted," and the words "or other chief governor or governors" wherever they occur. Section six, to "this Act."
9 & 10 Vict. c. 101.	An Act to authorise the Advance of Public Money to a Limited Amount, to promote the Improvement of Land in Great Britain and Ireland by Works of Drainage. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, except in section twenty-three. Section eighteen, the words "or Court of Exchequer at the equity side thereof." Section twenty, the words "or Court of Exchequer at the equity side thereof," the words "or Lord Chief Baron of the Exchequer," the words "or "the chief remembrancer of the said Court of "Exchequer," and the words "and for the Lord "Chief Baron of the Court of Exchequer in "Dublin." Section twenty-two, the words "and Court of Exchequer." Section twenty-three, the words "and be it enacted," and the words "or Exchequer." Section twenty-six, to "company of." Section thirty-two, the words "Commissioners of the." Section forty-two, the words "Commissioners of the" occurring twice. Section forty-five, the words "Commissioners of the." Section forty-nine from "the words Commissioners" to "time being" where these words secondly occur.

Reign and Chapter.	Title.
9 & 10 Vict. c. 103.	An Act to make further Provision for the Government of the New Zealand Islands. Repealed as to all Her Majesty's Dominions.
9 & 10 Vict. c. 111.	An Act to amend the Law in Ireland as to Ejectments and Distresses, and as to the Occupation of Lands. In part; namely,— Preamble. The words "And be it enacted that" wherever they occur. Section fifteen, to "of this Act."
9 & 10 Vict. c. 112.	An Act to facilitate and encourage the granting of certain Leases for Terms of Years in Ireland. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section four.
9 & 10 Vict. c. 113.	An Act to improve the Proceedings in Prohibition and on Writs of Mandamus in Ireland. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted that" wherever they occur. Section two, to "enacted that." Section five, to "enacted that." Section six, to "enacted that."
9 & 10 Vict. c. 115.	An Act the title of which begins with the words "An Act to amend" and ends with the words "in Ireland." In part; namely,— Title from "to provide for the expence" to the end of the title. The words "or other chief governor or governors," and "or other chief governor or governors of Ireland" wherever they occur. Section two, to "therefore enacted that." Section three, to "enacted that."
10 & 11 Vict. c. 4.	An Act for abolishing poundage on Chelsea Pensions. In part; namely,— Preamble and section one, to "same . . . that."
10 & 11 Vict. c. 11.	An Act to explain and amend the Act authorising the Advance of Money for the Improvement of Land by Drainage in Great Britain. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" in sections two, three, five, and seven to nine. Section two, from "and it shall" to the end of the section. Section four, the words "and be it enacted." Section seven, the words "Commissioners of Her Majesty's." Section ten, to "that." Section eleven, to "one Act, and."

Reign and Chapter.	Title.
10 & 11 Vict. c. 14.	The Markets and Fairs Clauses Act, 1847. In part; namely,— Preamble and section one, to "same, that." Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and," "or stewartry" from "and the steward" to "in Scotland" and the words "and steward depute respectively." Section fifty-five, the words "or steward" and "stewartry."
10 & 11 Vict. c. 15.	The Gasworks Clauses Act, 1847. In part; namely,— Preamble and section one, to "same, that." Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and," "or stewartry," from "and the steward" to "in Scotland," and the words "and steward depute respectively." Section forty-two, the words "or steward" and "stewartry." The words "And be it enacted that" in sections forty-eight and forty-nine.
10 & 11 Vict. c. 16.	An Act for consolidating in One Act certain Provisions usually contained in Acts with respect to the Constitution and Regulation of Bodies of Commissioners appointed for carrying on Undertakings of a public Nature. In part; namely,— Section one, to "same that." Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and" "or stewartry," from "and the steward" to "in Scotland," and the words "and steward depute respectively." Section one hundred and five, the words "or steward" and "or stewartry." Schedule (D.)
10 & 11 Vict. c. 17.	The Waterworks Clauses Act, 1847. In part; namely,— Preamble and section one, to "same, that." Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and" "or stewartry" from "and the steward" to "in Scotland," and the words "and steward depute respectively." Section eighty-seven, the words "or steward" and "stewartry." Section ninety-three, to "enacted, that."
10 & 11 Vict. c. 21.	An Act to regulate the Stations of Soldiers during Parliamentary Elections. In part; namely,— Preamble. Section two, to "enacted, that," and the word "that" before "every." Section three, to "enacted, that," and from "or, in case" to "stead." Section four, to "enacted, that."

Reign and Chapter.	Title.
10 & 11 Vict. c. 26.	An Act for enabling the Commissioners of Public Works in Ireland to purchase Land for Prisons in Ireland. In part; namely,— Preamble. Section one, to "same that." The words "And be it enacted, that" wherever they occur. The words "Commissioners of Her Majesty's" wherever they occur, and the word "said" wherever it occurs before the words so repealed. Section three, the words "her heirs and successors." Section six, the words "said commissioners of the."
10 & 11 Vict. c. 27.	The Harbours, Docks, and Piers Clauses Act, 1847. In part; namely,— Preamble and section one, to "same that." Section three, from "and shall include" to "of Durham," the words "stewartry, and," "or stewartry," from "and the stewart depute" to "in Scotland," the words "and steward depute respectively," and from "The expression the Lords" to "High Admiral" where those words last occur. The words "her heirs and successors" in sections twelve and twenty-eight. The words "Her Majesty's" wherever they occur in sections twelve and thirteen, and where they last occur in section ninety-nine. The words "Forests, Land Revenues, Works and Buildings" wherever they occur in sections twelve, thirteen, and ninety-nine. The words "the Lords of" and "the said Lords of" wherever they respectively occur in sections twelve, thirteen, sixteen, eighteen, and ninety-nine. Section twenty-four, the words "Commissioners of Her Majesty's" where they first occur. Section ninety-four, the words "or steward" and "stewartry." Section ninety-nine, the words "her heirs or successors" and "for the time being." Section one hundred and three, to "enacted, that."
10 & 11 Vict. c. 28.	An Act to amend the Acts relating to County Buildings. In part; namely,— Preamble down to "exclusively to such county, riding, or division: And" and section one, to "same, that."
10 & 11 Vict. c. 31.	An Act to make further Provision for the Relief of the destitute Poor in Ireland. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur, except in section fifteen. Section fourteen, to "enacted, that." Section fifteen, the words "and be it enacted." Section sixteen, to "passing of this Act." Section seventeen, to "enacted, that," and the word "that" before "so much."

Reign and Chapter.	Title.
10 & 11 Vict. c. 31.—*cont.*	Section eighteen, to "passing of this Act." Section nineteen, to "enacted, that." Section twenty-one, to "said unions" where those words secondly occur.
10 & 11 Vict. c. 32.	An Act to facilitate the Improvement of Landed Property in Ireland. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur, except in sections nine, forty-two, fifty-one, and sixty-three. Section three, the words "the Commissioners of" where they secondly occur. The words "said Commissioners of Her Majesty's" and "Commissioners of Her Majesty's," wherever they respectively occur in sections three, four, five, fifteen, eighteen, twenty-four, twenty-six, thirty, thirty-three, thirty-four, forty-one, forty-two, forty-seven, forty-nine, and fifty-five. The words "and be it enacted" in sections nine, forty-two, fifty-one, and sixty-three. Section twenty-five, to "company of." Section twenty-seven, the word "that" before "no second." The words "Commissioners of the" in sections thirty-one and thirty-five. Section fifty-five, to "enacted, that." Section sixty-two, to "enacted, that." Section sixty-five, the words "her heirs and successors," the words "for the time being" where first occurring, "Her Majesty's," and "Forests, Land Revenues, Works, and Buildings." Section sixty-six, from "the words Commissioners" to "two of them."
10 & 11 Vict. c. 33.	An Act to amend the Laws relating to the Removal of poor Persons from England and Scotland. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur. Section four, the word "that" before "the words."
10 & 11 Vict. c. 34.	The Towns Improvement Clauses Act, 1847. In part; namely,— Preamble and section one, to "same, that." Section three, from "and shall include the Court" to "of Durham."
10 & 11 Vict. c. 38.	An Act to facilitate the Drainage of Lands in England and Wales. In part; namely,— Preamble and section one, to "same, that" and the word "that" before "the assistant." The words "And be it enacted, that" wherever they occur, except in sections twelve, fifteen eighteen, and nineteen. The words "and be it enacted" in sections twelve, fifteen, eighteen, and nineteen. Section nineteen, the words "and Forests."

Reign and Chapter.	Title.
10 & 11 Vict. c. 39.	An Act the title of which begins with the words "An Act to amend" and ends with the words "of Scotland."
10 & 11 Vict. c. 42.	An Act to transfer the Collection and Management of the duties in respect of Stage Carriages, Hackney Carriages, and Railway Passengers from the Commissioners of Stamps and Taxes to the Commissioners of Excise. In part; namely,— Title, the words "Stage Carriages, Hackney Carriages, and." Preamble and section one, to "same, that." Section two, to "enacted, that," and the word "that" before "all the powers."
10 & 11 Vict. c. 46.	An Act to facilitate the temporary Investment of Trust Monies in the Improvement of Landed Property in Ireland. In part; namely,— Preamble to "Ireland: And." The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed.
10 & 11 Vict. c. 52.	An Act for the Correction of certain Abuses which have frequently prevailed at the Elections of Representative Peers for Scotland. In part; namely,— The words "And be it enacted, that" wherever they occur, except in section five. Section five, the words "and be it enacted."
10 & 11 Vict. c. 61.	An Act to amend the Act for the Establishment of public Baths and Washhouses. In part; namely,— Preamble and section one, to "same, that." Section two, to "declared, that." The words "And be it enacted, that" in sections four, five, and seven.
10 & 11 Vict. c. 62.	An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur.
10 & 11 Vict. c. 63.	An Act for limiting the Time of Service in the Royal Marine Forces. In part; namely,— Preamble. Section one, to "this Act." The words "And be it enacted, that" in sections three, seven, and eight. Section four, the words "also, and be it enacted." The words "and be it enacted" in sections five and six.
10 & 11 Vict. c. 65.	The Cemeteries Clauses Act, 1847. In part; namely,— Preamble and section one, to "same, that." Section three, from "and shall include the Court" to "of Durham." Section sixty-eight to "enacted, that."

Reign and Chapter.	Title.
10 & 11 Vict. c. 67.	An Act to amend the Law as to the Custody of Offenders. In part; namely,— Preamble and section one, to "same, that" and the word "that" before "all the." Section two, to "enacted, that."
10 & 11 Vict. c. 69.	An Act for the more effectual Taxation of Costs on Private Bills in the House of Commons. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur.
10 & 11 Vict. c. 72.	An Act for the further Amendment of the Laws relating to Turnpike Roads in South Wales. In part; namely,— Preamble and sections one to seven, nine to twelve, fifteen, and sixteen.
10 & 11 Vict. c. 79.	An Act the title of which begins with the words "An Act to continue" and ends with the words "said Act." In part; namely,— Preamble. Section two, to "enacted that." Section three, to "declared that." The words "And be it enacted, that" in sections four and five.
10 & 11 Vict. c. 84.	An Act to make Provision for the Punishment of Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in Ireland. In part; namely,— The words "And be it enacted, that" wherever they occur. Section eight, the word "that" wherever it occurs.
10 & 11 Vict. c. 85.	An Act for giving further Facilities for the Transmission of Letters by Post, and for the regulating the Duties of Postage thereon, and for other Purposes relating to the Post Office. In part; namely,— The words "And be it enacted, that" and "Commissioners of Her Majesty's" wherever they occur. Sections three and five. Section twelve, to "enacted that." Section fourteen, to "declared, that." Section sixteen, to "enacted that." Section seventeen. Section eighteen, from "either under" to "Treasury, ... or." Section twenty, the word "that" wherever it occurs, except before "is to say."
10 & 11 Vict. c. 89.	The Town Police Clauses Act, 1847. In part; namely,— Preamble and section one, to "same, that." Section three, from "and shall include the Court" to "of Durham."
10 & 11 Vict. c. 90.	An Act to provide for the Execution of the Laws for the Relief of the Poor in Ireland. In part; namely,— Preamble.

Reign and Chapter.	Title.
10 & 11 Vict. c. 90.—*cont.*	The words "And be it enacted, that" in sections seven, nine, twelve, fourteen, fifteen, seventeen, and twenty-four. Section eleven, to "enter on their office." The words "And be it declared and enacted, that" in sections nineteen and twenty. Section sixteen, the words "and be it declared and enacted." Section seventeen, from "from and after" to "their office." Section twenty-one, the word "that" before "every such." Section twenty-four, from "and that the words" to the end of the section.
10 & 11 Vict. c. 91.	An Act to increase the Number of Trustees for the Herring Fishery, and to direct the Application of the Funds granted for the Promotion of Manufactures and Improvements, in Scotland. In part; namely,— Title from "to increase" to "Fishery, and." Section one. The words "And be it enacted, that," "Commissioners of Her Majesty's," and "said Commissioners of Her Majesty's" wherever they occur. Section two, the words "or any three of them" and "under their hands."
10 & 11 Vict. c. 92.	An Act for the Protection of Mussel Fisheries in Scotland. In part; namely,— Section one, to "same, that." Section two, to "enacted, that." Section three, to "enacted, that." Section four, to "enacted that."
10 & 11 Vict. c. 94.	An Act to amend an Act to enable Canal Companies to become Carriers upon their Canals. In part; namely,— Preamble and section one, to "same, that." Section two, to "enacted, that." Section three, the words "be it enacted, that." Section four, to "enacted, that."
10 & 11 Vict. c. 95.	An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom. In part; namely,— Preamble and section one, to "same that." Section two, to "enacted, that" and the word "that" before "a copy."
10 & 11 Vict. c. 96.	An Act for better securing Trust Funds, and for the Relief of Trustees. In part; namely,— Preamble. Section one, to "same, that," the word "that" before "all trustees," and the words "of the governor and company." Section two, to "enacted that." Section five.

Reign and Chapter.	Title.
10 & 11 Vict. c. 98.	An Act to amend the Law as to Ecclesiastical Jurisdiction in England. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur.
10 & 11 Vict. c. 100.	An Act to regulate the Superannuation Allowances of the Constabulary Force in Ireland and the Dublin Metropolitan Police. In part; namely,— Preamble. The words "And be it enacted, that," "or other chief governor or governors of Ireland," "or other chief governor or governors," and "Commissioners of Her Majesty's" wherever they occur. Section three, the words "or their." Section four, the words "or any three or more of them" and the words "of the Lord Lieutenant" where secondly occurring. The words "or any three or more of them" in sections five, eight, and ten. Section ten, the words "of the Lord Lieutenant" where secondly occurring.
10 & 11 Vict. c. 104.	An Act the title whereof begins with the words "An Act to explain" and ends with the words "of Parliament." In part; namely,— Title, from "and to continue" to the end of the title. Preamble. Section two, to "enacted that." Section three, the words "and be it enacted." Section four, to "enacted, that."
10 & 11 Vict. c. 108.	An Act for establishing the Bishoprick of Manchester, and amending certain Acts relating to the Ecclesiastical Commissioners for England. In part; namely,— Preamble, to "Churches of Wales And." Section two, to "enacted, that" and from "and whenever" to the end of the section.
10 & 11 Vict. c. 109.	An Act for the Administration of the Laws for Relief of the Poor in England. In part; namely,— Preamble. The words "And be it enacted, that" in sections five, eleven, thirteen, fifteen, seventeen, nineteen, twenty, twenty-one, twenty-four, twenty-five, and twenty-nine. Section nineteen, from "Lord" to "Majesty's" where those words respectively twice occur. Section twenty-two, from "Lord" to "Majesty's" and the words "for the time being." Section twenty-three, the words "and be it enacted." Section twenty-six, to "enacted, that."

Reign and Chapter.	Title.
10 & 11 Vict. c. 111.	An Act to extend the Provisions of the Act for the Inclosure and Improvement of Commons. In part; namely,— Preamble and section one, to "same, that." Section two, the words "and be it enacted." Section three, to "declared, that." Section five, to "enacted that." The words "And be it enacted, that" in sections four and seven to nine.
10 & 11 Vict. c. 113.	An Act to facilitate the Drainage of Lands in Scotland. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur, except in sections seven, ten, and sixteen. Section two, the word "that" before "notice." The words "and be it enacted" in sections seven, ten, and sixteen. Section sixteen, the words "and Forests" occurring twice.
11 & 12 Vict. c. 2.	An Act for the better Prevention of Crime and Outrage in certain parts of Ireland until the First day of December one thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament.
11 & 12 Vict. c. 5.	An Act the title of which begins with the words "An Act to suspend" and ends with the words "in lieu thereof." Repealed as to all Her Majesty's Dominions.
11 & 12 Vict. c. 12.	An Act for the better Security of the Crown and Government of the United Kingdom. In part; namely,— Preamble. Section two, to "enacted, that." The words "And be it enacted that" in sections three, five, eight, and ten. Section three, the words "her heirs or successors" wherever they occur, and the words "or them," "or their," and "or by open and advised speaking." Section four. The words "and be it enacted" in sections six, seven, and nine.
11 & 12 Vict. c. 13.	An Act for amending the Law for the leasing of Mines in Ireland. In part; namely,— Preamble. Section one, to "same . . . that." The words "And be it enacted, that" wherever they occur.
11 & 12 Vict. c. 21.	An Act to consolidate and amend the Laws relating to Insolvent Debtors in India. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur, except in sections twelve, thirty-seven, forty-three, fifty-seven, sixty-two, seventy-nine, eighty-one, eighty-three, eighty-four,

Reign and Chapter.	Title.
11 & 12 Vict. c. 21.—*cont.*	eighty-six, and ninety-four, and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections twelve, thirty-seven, forty-three, fifty-seven, sixty-two, seventy-nine, eighty-one, eighty-three, eighty-four, eighty-six and ninety-four. Section five, to "take effect." Section eight, to "take effect." Section fourteen, to "operation" and from "in the course" to "afterwards." Repealed as to all Her Majesty's Dominions.
11 & 12 Vict. c. 25.	An Act to extend the Powers given by former Acts for purchasing or hiring Land in connexion with or for the Use of Workhouses in Ireland; and for providing for the Burial of the Poor. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur. Section two, the word "that" before "all the."
11 & 12 Vict. c. 26.	An Act the title of which begins with the words "An Act to remove" and ends with the words "other Cases." In part; namely,— Preamble, to "trouble therein." The words "And be it enacted, that" wherever they occur. Section six, to "therefore enacted that" and the word "that" before "wherever." Section seven, to "this Act."
11 & 12 Vict. c. 28.	An Act to amend the Law of Imprisonment for Debt in Ireland, and to improve the Remedies for the Recovery of Debts and of the Possession of Tenements situate in Cities and Towns in certain Cases. In part; namely,— Title, from "and of the" to the end of the title. Preamble. The words "and be it enacted" in sections seven and eight. Section three, the words "after the passing of this Act." The words "And be it enacted, that" in sections eighteen and nineteen. Section eighteen, the words "and the schedule thereto annexed."
11 & 12 Vict. c. 29.	An Act to enable Persons having a Right to kill Hares in England and Wales to do so, by themselves or Persons authorized by them, without being required to take out a Game Certificate. In part; namely,— Preamble. Section one, to "of this Act." The words "and be it enacted" in sections two, five, and six. The words "And be it enacted, that" in sections three and eight. Section four. Section seven, to "enacted, that" and the word "that" wherever it occurs.

Reign and Chapter.	Title.
11 & 12 Vict. c. 30.	An Act to enable all Persons having at present a Right to kill Hares in Scotland to do so themselves, or by Persons authorized by them, without being required to take out a Game Certificate. In part; namely,— Preamble. Section one, to "of this Act," and from "without the payment" to "aforesaid, and." The words "And be it enacted, that" in sections two, five, and six. Section three. Section four, the words "and be it enacted."
11 & 12 Vict. c. 31.	An Act to amend the Procedure in respect of Orders for the Removal of the Poor in England and Wales, and Appeals therefrom. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur.
11 & 12 Vict. c. 32.	An Act to facilitate the Collection of County Cess in Ireland. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" in sections two and three.
11 & 12 Vict. c. 36.	An Act for the Amendment of the Law of Entail in Scotland. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur. Section thirty-seven, to "passing of this Act." Section forty-one, from "by which Act" to "in Scotland" where those words first occur, and from "the said provision" to "repealed, and." Section forty-eight, to "of this Act."
11 & 12 Vict. c. 37.	An Act to amend the Law relative to the Assignment of Ecclesiastical Districts. In part; namely,— Preamble and section one, to "same that." Section two, to "enacted that." Section three, to "enacted, that." Section four, to "declared that." Section five, to "enacted, that."
11 & 12 Vict. c. 42.	An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales with respect to Persons charged with indictable Offences. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted, that" and "And be it declared and enacted, that" wherever they occur. Section five, the word "that" before "all such." Section six, the word "that" before "all and." Section seven, to "enacted that." Section fourteen, the words "or steward" and "steward's officers."

Reign and Chapter.	Title.
11 & 12 Vict. c. 42.—*cont.*	Section fifteen, the words "or steward" twice occurring, and the word "steward" where it last occurs. Section twenty-two, to "enacted that." Section twenty-nine, the word "that" before "the several" and before "nothing." Section thirty, the word "that" before "nothing."
11 & 12 Vict. c. 43.	An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within England and Wales, with respect to summary Convictions and Orders. In part; namely,— Preamble and section one, to "same that." The capital letters and figures within brackets referring to the Schedule, wherever they occur. The words "And be it enacted, that" and "And be it declared and enacted, that" wherever they occur. Section ten, the word "that" before "every." Section thirty-one, from "in the form" to "like effect." Section thirty-two. Section thirty-three, the word "that" before "the several" and before "nothing." Section thirty-four, the word "that" before "nothing." Section thirty-seven, the word "that" before "nothing." Schedule.
11 & 12 Vict. c. 44.	An Act to protect Justices of the Peace from vexatious Actions for Acts done by them in execution of their Office. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted, that" wherever they occur. Section four, the word "that" before "in all cases." Section five, to "enacted that."
11 & 12 Vict. c. 46.	An Act for the Removal of Defects in the Administration of Criminal Justice. In part; namely,— Section four, to "enacted that." Section five, to "enacted, that."
11 & 12 Vict. c. 47.	An Act for the Protection and Relief of the destitute Poor evicted from their Dwellings in Ireland. In part; namely,— Section one, to "of this Act." The words "And be it enacted, that" wherever they occur. Section eight, the words "the Lords Commissioners of" and "and Forests."
11 & 12 Vict. c. 48.	An Act to facilitate the Sale of Incumbered Estates in Ireland. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted, that" wherever they occur, except in sections nine, twelve, fifteen, nineteen, twenty-eight, thirty-two, thirty-four to thirty-eight, forty-four, forty-eight, fifty-three, fifty-five to fifty-eight, sixty-

Reign and Chapter.	Title.
11 & 12 Vict. c. 48.—*cont.*	one, sixty-two, sixty-seven, and sixty-nine, and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections nine, twelve, fifteen, nineteen, twenty-eight, thirty-two, thirty-four to thirty-eight, forty-four, forty-eight, fifty-three, fifty-five to fifty-eight, sixty-one, sixty-two, sixty-seven, and sixty-nine. Section ten, the words "her heirs and successors." Section seventeen, to "passing of this Act." Section twenty-seven, the words "her heirs and successors." Section thirty-seven, from "or other" to "of Ireland." Section seventy-two, to "enacted, that," and the word "that" before "such judgment."
11 & 12 Vict. c. 55.	An Act for consolidating the Offices of Paymasters of Exchequer Bills and Paymaster of Civil Services with the Office of Paymaster General, and for making other Provisions in regard to the consolidated Offices. In part; namely,— Preamble. Section one. Section two, to "Paymaster General" where those words first occur. The words "And be it enacted, that" in sections three, five, and nine. Section four, to "enacted that," the words "said Commissioners of Her Majesty's," and "the Governor and Company of." Section five, the words "Commissioners of Her Majesty's." Section six, to "Company of" where those words first occur, and the words "said Governor and Company of the." Section seven, to "enacted that," and the words "Governor and Company of the." Section eight, to "this Act," and from "standing in" to "Anderson."
11 & 12 Vict. c. 68.	An Act for extending to Ireland an Act passed in the last Session of Parliament, intituled "An Act for better securing Trust Funds, and for the Relief of Trustees." In part; namely,— Preamble and section one, to "same, that." The words "Governor and Company of the" in sections one and three. The words "And be it enacted, that" wherever they occur.
11 & 12 Vict. c. 69.	An Act the title of which begins with the words "An Act to repeal" and ends with the words "respect of Robbery." In part; namely,— Title from "and to repeal" to end of title. Preamble. The words "And be it enacted, that" in sections two and five. Section two, the words "after the passing of this Act."

Reign and Chapter.	Title.
11 & 12 Vict. c. 72.	An Act to amend the Acts relating to the Constabulary Force in Ireland, and to amend the Provisions for the Payment of Special Constables. In part; namely,— Preamble. The words "And be it enacted, that" in sections five, fourteen, and fifteen. Section three, to "and Ireland," from "or other" to "of Ireland," and from "after" to "forty-eight." Section five, from "or other" to "of Ireland." Section six, the words "or other chief governor or governors" twice occurring. Section eight, from "or other" to "of Ireland." Section nine, to "this Act." Section ten, to "passing of this Act," and the words "or other chief governor or governors of Ireland," wherever they occur. Section eleven, the words "from and after the passing of this Act." Section twelve, the words "the Lords of," the words "Commissioners of Her Majesty's" where they first and thirdly occur, the words "or any three of them," and "the Governor and Company of."
11 & 12 Vict. c. 74.	An Act to authorize the Lords of Council and Session to regulate the Rates or Dues of Registration to be charged by the Keepers of the Registers of Sasines, Reversions, &c. in Scotland. In part; namely,— Preamble and section one, to "same, that." Section two, to "enacted, that."
11 & 12 Vict. c. 78.	An Act for the further Amendment of the Administration of the Criminal Law. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that," wherever they occur. Section three, to "convenient place; and."
11 & 12 Vict. c. 79.	An Act to facilitate and simplify Procedure in the Court of Justiciary in Scotland. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur. Sections one and two. Section three, the words "criminal letters." Section six. Section seven, to "enacted, that." Section nine. Section ten, to "declared, that."
11 & 12 Vict. c. 80.	An Act the title of which begins with the words "An Act to empower" and ends with the words "in Ireland." In part; namely,— Title from "and also to empower" to the end of title. Preamble and section one, to "of this Act."

Reign and Chapter.	Title.
11 & 12 Vict. c. 82.	An Act to amend the Law for the Formation of Districts for the Education of Infant Poor. In part; namely,— Preamble and section one, to "same that." Section two, to "enacted, that," and from "to continue" to "Commission; and." Section three, to "enacted, that."
11 & 12 Vict. c. 83.	An Act to confirm the Awards of Assessionable Manors Commissioners, and for other Purposes relating to the Duchies of Cornwall and Lancaster. In part; namely,— Section seven, the words "commenced after the passing of this Act." Section eight, to "enacted, that." Section nine, to "enacted, that." Section ten, to "enacted, that." Section eleven, to "or otherwise" and the word "said" before "prothonotary." Section twelve, to "enacted, that." Section thirteen, to "declared, that." Section fifteen.
11 & 12 Vict. c. 87.	An Act the title of which begins with the words "An Act to extend" and ends with the words "Real Estate." In part; namely,— Preamble and section one, to "of the same," and the word "that" before "the said."
11 & 12 Vict. c. 88.	An Act for further regulating the Money Order Department of the Post Office. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section two, the words "Commissioners of Her Majesty's." Section five, to "enacted, that." Section six, to "Treasury . . . and that" and the words "Commissioners of Her Majesty's" where they next occur, and from "either under" to "Treasury . . . or."
11 & 12 Vict. c. 89.	An Act the title of which begins with the words "An Act to continue" and ends with the words "Oaths in Ireland."
11 & 12 Vict. c. 90.	An Act to regulate the Times of Payment of Rates and Taxes by Parliamentary Electors. In part; namely,— Preamble and section one, to "same, that," and the word "that" before "no person."
11 & 12 Vict. c. 91.	An Act to make Provision for the Payment of Parish Debts, the Audit of Parochial and Union Accounts, and the Allowance of certain Charges therein. In part; namely,— Preamble and section one, to "same, that." Section two, the words "and be it enacted." The words "And be it enacted, that" wherever they occur except in section two. Section five, to "enacted, that."

Reign and Chapter.	Title.
11 & 12 Vict. c. 92.	An Act for the Protection and Improvement of the Salmon, Trout, and other Inland Fisheries of Ireland. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur except in section thirty-seven. Section eight, to "forty-nine," the words "the said year or" and "subsequent." Section thirteen, the words "after the year one thousand eight hundred and forty-nine" twice occurring. Section nineteen, from "in the year" to "forty-nine, and" and the word "subsequent." Section twenty-three, the words "after the passing of this Act." Section thirty-seven, the words "and be it enacted." Section thirty-nine, to "enacted, that." Section forty-two, to "enacted, that."
11 & 12 Vict. c. 99.	An Act to further extend the Provisions of the Act for the Inclosure and Improvement of Commons. In part; namely,— Preamble and section one, to "same, that" and the word "that" before "where." The words "And be it enacted, that" wherever they occur. Section thirteen, to "enacted, that."
11 & 12 Vict. c. 101.	An Act to provide for the Expenses of erecting and maintaining Lock-up Houses on the Borders of Counties. In part; namely,— The words "And be it enacted, that" wherever they occur.
11 & 12 Vict. c. 102.	An Act the title of which begins with the words "An Act to enlarge" and ends with the words "Her Majesty's Woods." In part; namely,— Section seven, the words "and be it enacted." Section eight, to "therefore enacted, that" and the word "that" before "in each." The words "And be it enacted, that" wherever they occur, the words "Her Majesty's" wherever they occur before "Woods," the words "Forests, Land Revenues, Works, and Buildings" wherever they occur, the words "Lord High Treasurer or the Commissioners of Her Majesty's" wherever they occur, the word "said" occurring before the words so repealed, and the words "for the time being" wherever they occur. Section nine, the words "after the passing of this Act," from "by writing" to "or hands," the words "he or," and from "said Lord" to next following "Majesty's."
11 & 12 Vict. c. 104.	An Act for amending the Act regulating the Prison at Millbank. In part; namely,— Preamble. Section one to "same, ... that" the words "persons so appointed," "as the case may be," and "from and after the appointment of such visitors as aforesaid."

Reign and Chapter.	Title.
11 & 12 Vict. c. 110.	An Act to alter the Provisions relating to the Charges for the Relief of the Poor in Unions. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur. Section two, the word "such" where first occurring before "union."
11 & 12 Vict. c. 111.	An Act the title of which begins with the words "An Act to amend" and ends with the words "of the Poor." In part; namely,— Preamble, and to "same, that."
11 & 12 Vict. c. 113.	An Act for the further Amendment of the Acts relating to the Dublin police. In part; namely,— Preamble. Section one, to "passing of this Act" and from "or other" to "of Ireland."
11 & 12 Vict. c. 118.	An Act the title of which begins with the words "An Act to explain" and ends with the words "United Kingdom." In part; namely,— Title from "the Law as to" to "Ireland, and." Preamble. Section two, to "thereto, and," from "for and in respect" where those words next occur to "same, and," and from "and all duties" where those words next occur, to "Commissioners of Stamps" where those words next occur. Section three, to "Be it enacted, that," the words "Commissioners of Excise or," where those words secondly occur, and the word "respectively."
11 & 12 Vict. c. 119.	An Act to simplify the Forms of Certificates under the Act authorizing the Advance of Money for the Improvement of Land by Drainage in Great Britain. In part; namely,— Preamble and to "same, that." The words "And be it enacted, that" in sections two and four. Section two, the words "Commissioners of Her Majesty's." Section three, the words "and be it enacted."
11 & 12 Vict. c. 120.	An Act to facilitate the Transfer of Landed Property in Ireland. In part; namely,— Preamble. Section one, to "this Act." The words "And be it enacted, that," "Commissioners of Her Majesty's," the word "said" before those words, the words "for the time being" and "or any three of them" wherever they respectively occur. Section three, the word "that" before "the said." The words "under their hands" in sections seven and nine. Section seven, to "enacted that." Section nine, the word "that" before "it shall." Section ten, to "therefore enacted that."

Reign and Chapter.	Title.
11 & 12 Vict. c. 120.—*cont.*	Section eleven, to "this Act." Section twelve, to "this Act." Section thirteen, to "enacted, that" and the word "so" before "filed." Section fourteen, the words "after the passing of this Act."
11 & 12 Vict. c. 121.	An Act the title of which begins with the words "An Act to alter" and ends with the words "Laws of Excise." In part; namely,— Title, from "and respecting the Distribution" to the end of the title. Section nine, to "this Act." The words "And be it enacted, that" wherever they occur.
11 & 12 Vict. c. 122.	An Act the title of which begins with the words "An Act to amend" and ends with the words "Customs Warehouse." In part; namely,— Title, from "the Warehousing" to "Mixtures, and."
11 & 12 Vict. c. 130.	An Act the title of which begins with the words "An Act for guaranteeing" and ends with the words "certain Purposes."
11 & 12 Vict. c. 132.	An Act for the Appointment of additional Taxing Masters for the High Court of Chancery in Ireland, and to regulate the Appointment of the Principal Assistants to the Masters in the Superior Courts of Law in Ireland. In part; namely,— Preamble. Section one, to "of this Act," and from "and the business" to the end of the section. Section two, to "masters, and that," the word "that" before "as often," and from "Provided always" to the end of the section. Section three. Section four, to "enacted, that," and the words "Commissioners of Her Majesty's." Sections five and six. Section seven, to "enacted, that." Section eight.
12 & 13 Vict. c. 4.	An Act to amend the Law relating to the Appointment of Vice Guardians of Unions in Ireland. In part; namely,— Preamble. Section three, to "enacted, that."
12 & 13 Vict. c. 6.	An Act to repeal an Act of the Twenty-first Year of George the Second, for holding the Summer Assizes at Buckingham; and to authorize the Appointment of a more convenient Place for holding the same.
12 & 13 Vict. c. 8.	An Act to remove Doubts as to the Appointment of Overseers in Cities and Boroughs. In part; namely,— Preamble and section one, to "same, that." Section four, to "enacted, that"

Reign and Chapter.	Title.
12 & 13 Vict. c. 13.	An Act to provide a more effectual Regulation and Control over the Maintenance of poor Persons in Houses not being the Workhouses of any Union or Parish. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur except in section two. Section two, the words "and be it enacted."
12 & 13 Vict. c. 14.	An Act to enable Overseers of the Poor and Surveyors of the Highways to recover the Costs of distraining for Rates. In part; namely,— Preamble and section one, to "same, that." Section two, to "therefore enacted that." The words "And be it enacted that" wherever they occur. Section eight, to "enacted, that."
12 & 13 Vict. c. 16.	An Act to protect Justices of the Peace in Ireland from vexatious Actions for Acts done by them in the Execution of their Office. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur. Section four, the word "that" before "in all cases." Section five, to "enacted, that."
12 & 13 Vict. c. 18.	An Act for the holding of Petty Sessions of the Peace in Boroughs, and for providing Places for the holding of such Petty Sessions in Counties and Boroughs. In part; namely,— Section two, to "enacted, that." Section three, the words "and be it enacted."
12 & 13 Vict. c. 25.	An Act for giving effect to the Stipulations of a Treaty between Her Majesty and the Queen of Portugal for the Apprehension of certain Deserters. In part; namely,— Preamble and section one, to "same, that." The words, "And be it enacted, that" wherever they occur.
12 & 13 Vict. c. 26.	An Act for granting Relief against Defects in Leases made under Powers of Leasing, in certain Cases. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur, except in section six. Section two, the word "such" where it first occurs before "power," and the words "as aforesaid." Section six, the words "and be it enacted."
12 & 13 Vict. c. 27.	An Act to remove Doubts concerning the Transportation of Offenders under Judgment of Death to whom Mercy may be extended in Ireland. In part; namely,— Preamble. Section one, to "same, that," the words "or other "Chief Governor or Governors of Ireland for "the time being" twice occurring, and "or other Chief Governor or Governors." Section two, to "enacted, that."

Reign and Chapter.	Title.
12 & 13 Vict. c. 31.	An Act for requiring the Transmission of the annual Abstracts and Statements of Trustees of Turnpike Roads and Bridges in Scotland to the Secretary of State, to be laid before Parliament.
12 & 13 Vict. c. 34.	An Act to amend an Act regulating the Justice of the Peace Small Debt Courts in Scotland. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" in sections two to four. Section two, from "either" to "this Act."
12 & 13 Vict. c. 45.	An Act to amend the Procedure in Courts of General and Quarter Sessions of the Peace in England and Wales, and for the better Advancement of Justice in Cases within the Jurisdiction of those Courts. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur. Section three, to "enacted, that." Section six, the words "be it enacted, that." Section seven, to "enacted, that." Section eight, to "enacted that." Section twelve, to "enacted that" and from "and to agree" to "therein provided for." Section thirteen, from "and such order" to "of either party," and from "Provided always" to the end of the section. Section fifteen.
12 & 13 Vict. c. 48.	An Act to provide for the Administration of Justice in Vancouver's Island. In part; namely,— Preamble. Section one, to "Island aforesaid; and," and the words "and as well before as after such proclamation." Section two. Section three, the words "and be it enacted." Section four, to "enacted, that." Repealed as to all Her Majesty's Dominions.
12 & 13 Vict. c. 49.	An Act to extend and explain the Provisions of the Acts for the granting of Sites for Schools. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" in sections two, six, and seven. Section three, to "enacted that." Section four, to "enacted that," the word "such" before "absolute," and the words "as aforesaid."
12 & 13 Vict. c. 50.	An Act for further amending the Laws relating to Sewers. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur.

Reign and Chapter.	Title.
12 & 13 Vict. c. 51.	An Act for the better Protection of the Property of Pupils absent Persons, and Persons under Mental Incapacity in Scotland. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur. Section twenty-two, to "enacted," and the word "that" before "if no." Section twenty-three, to "enacted" and the word "that" before "any settlement." Section twenty-four, to "enacted, that," from "Commissioners" to "Majesty's" and the words "or any three or more of them." Section twenty-six, to "this Act." Section thirty-seven, to "this Act." Section thirty-nine.
12 & 13 Vict. c. 53.	An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors in Ireland. In part; namely,— Preamble. Section two, to "this Act," and the word "that" before "it shall be lawful for such." The words "And be it enacted, that" in sections three to nine. Section eight, the word "that" before "upon the."
12 & 13 Vict. c. 59.	An Act to amend an Act of the Tenth Year of Her Majesty, for facilitating the Improvement of Landed Property in Ireland. In part; namely,— Preamble. Section one, to "same, that," and the words "Commissioners of her Majesty's." The words "And be it enacted, that" wherever they occur.
12 & 13 Vict. c. 64.	An Act the title of which begins with the words "An Act to remove," and ends with the words "and Boroughs." In part; namely,— Preamble, and to "same, that."
12 & 13 Vict. c. 66.	An Act for enabling Colonial Legislatures to establish Inland Posts. In part; namely,— Preamble, and to "same, that." The words "and be it enacted" in sections two and four. The words "And be it enacted, that" in sections three and six. Section five. The words "Commissioners of Her Majesty's" in section four. Repealed as to all Her Majesty's Dominions.
12 & 13 Vict. c. 67.	An Act to extend the Remedies of Sequestrators of Ecclesiastical Benefices. In part; namely,— Preamble. Section one, to "passing of this Act," and the words "then have been or who shall thereafter." Section two, to "enacted, that," and the word "that" before "such sequestrator."

Reign and Chapter.	Title.
12 & 13 Vict. c. 63.	An Act for facilitating the Marriage of British Subjects resident in Foreign Countries. In part; namely,— Preamble. Section one, to "same, that," and the words "from and after the passing of this Act." The words "And be it enacted, that" wherever they occur. Section nine, the words "United" and "and Ireland" respectively occurring twice. Section eighteen, the word "that" wherever it occurs. Section twenty-one, to "enacted that."
12 & 13 Vict. c. 69.	An Act to facilitate the Performance of the Duties of Justices of the Peace out of Quarter Sessions in Ireland with respect to Persons charged with Indictable Offences. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" and "And be it declared and enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section seven, to "this Act." Section twenty-two, to "enacted, that." Section twenty-three, the words "or other chief governor or governors of Ireland," and "or their," and from "Provided also" to the end of the section. Section thirty, from "the provisions of an Act" to "the same, or." Sections thirty-two, thirty-four, and thirty-five. Schedule (S. 1.) Form of condition of Recognizance of Bail where the Defendant is entitled to a Traverse.
12 & 13 Vict. c. 72.	An Act further to amend the Acts relating to the Offices of the House of Commons. In part; namely,— Preamble. Section one, to "same, that" and the words "Governor and Company of the." Section five, the words "Commissioners of her Majesty's." Section six, to "enacted, that."
12 & 13 Vict. c. 74.	An Act for the further relief of Trustees. In part; namely,— Preamble. Section one, to "same, that," and the words "Governor and Company of the."
12 & 13 Vict. c. 76.	An Act to protect Women from fraudulent Practices for procuring their Defilement.
12 & 13 Vict. c. 78.	An Act for the more effectual Taxation of Costs on Private Bills in the House of Lords, and to facilitate the Taxation of other Costs on Private Bills in certain Cases. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur.

Reign and Chapter.	Title.
12 & 13 Vict. c. 82.	An Act to relieve Boroughs, in certain Cases, from Contribution to certain Descriptions of County Expenditure.
12 & 13 Vict. c. 83.	An Act further to facilitate the Inclosure of Commons, and the Improvement of Commons and other Lands. In part; namely,— Preamble and section one, to "same, that." The words "And be it enacted, that" wherever they occur.
12 & 13 Vict. c. 89.	An Act to reduce the Number of Signatures required to Instruments issued by the Lords of the Treasury. In part; namely,— From "Be it enacted," to "same, that."
12 & 13 Vict. c. 91.	An Act to provide for the Collection of Rates in the City of Dublin. In part; namely,— Preamble and section one, from "May it therefore" to "and fifty." The words "And be it enacted, that" wherever they occur except in sections twenty-one, sixty-five and seventy-six, and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections twenty-one, sixty-five and seventy-six. Section three, the words "the Governor and Company of." Section eight, from "the Bank of the" to "Company of." Section ten, the words "the said Governor and Company of" twice occurring. Section eleven, the words "said Governor and Company of" twice occurring, and the word "said" before "Bank." Section fourteen, the words "the said Governor and Company of." Section twenty-eight, the words "the Governor and Company of." Section thirty-five, to "enacted, that" from "on or before" where those words secondly occur, to "fifty-one, and" where those words lastly occur, and the word "succeeding." Section thirty-six, to "fifty." Section thirty-eight, to "last past; and" from "on or before" to "fifty-one, and," and the word "succeeding." Section forty, to "into a law." Section forty-one, to "enacted, that," and the words "the Governor and Company of." Section forty-four, to "and fifty." Section forty-five, to "enacted, that." Sections fifty-seven to fifty-nine. Section eighty-nine, from "The words Lord Lieutenant" to "of Ireland." Section ninety-two.

Reign and Chapter.	Title.
12 & 13 Vict. c. 92.	An Act for the more effectual Prevention of Cruelty to Animals. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur. Section two, the words "from and after the passing of this Act." Section seven, to "be it enacted, that." Section twenty-one, the word "that" before "every sum."
12 & 13 Vict. c. 95.	An Act to amend the Law concerning Judgments in Ireland. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur, except in section six, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section two, to "this Act" where those words first occur, and from "save only" to "passing of this Act." Section six, the words "and be it enacted." Section seven, the words "and of the Court of Exchequer at the equity side thereof." Section ten, the words "or to the Court of Exchequer at the equity side thereof."
12 & 13 Vict. c. 96.	An Act to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty. In part; namely,— Preamble and section one to "same, that." Section two. Section three, to "enacted, that" and the word "that" before "if any." Section four, to "enacted that." Section five, to "enacted, that." Repealed as to all Her Majesty's Dominions.
12 & 13 Vict. c. 99.	An Act the title of which begins with the words "An Act to encourage" and ends with the words "such Marriages."
12 & 13 Vict. c. 103.	An Act to continue an Act of the last Session of Parliament, for charging the Maintenance of certain poor Persons in Unions upon the Common Fund; and to make certain Amendments in the Laws for the Relief of the Poor. In part; namely,— Title from "to continue" to "and." Preamble. The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section nine, to "and enacted, that," and the word "that" before "no auditor." Section twelve, to "therefore enacted that." Section fifteen, to "enacted that."

Reign and Chapter.	Title.
12 & 13 Vict. c. 104.	An Act to amend the Acts for the more effectual Relief of the destitute Poor in Ireland. In part; namely,— Preamble and section one, to "same, that." Section two, to "passing of this Act." The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section seven, to "of this Act." The words "after the passing of this Act" in sections ten and eleven. Section fourteen, to "this Act." Section seventeen, to "enacted, that," the words "from and after the passing of this Act," and the word "that" before "upon the" and before "immediately." Section nineteen, the words "after the passing of this Act." Section twenty, to "enacted, that." Section twenty-three, to "therefore enacted that." Section twenty-six, the words "Commissioners of Her Majesty's."
12 & 13 Vict. c. 105.	An Act for converting the renewable Leasehold Tenure of Lands in Ireland into a Tenure in Fee. In part; namely,— Preamble and section one, to "same that." The words "at any time after the passing of this Act" twice occurring in section one. The words "And be it enacted, that" wherever they occur except in sections four, five, and thirteen. The words "and be it enacted" in sections four, five, and thirteen. The words "or remembrancer" wherever they occur in sections twenty-three to thirty-one. Section twenty-two, the words "or Court of Exchequer in Ireland on the equity side thereof." Section twenty-eight, the words "or to the Court of Exchequer at the equity side thereof." Section thirty-eight, from "or the Court" to "may be" and from "and the word remembrancer" to the end of the section.
12 & 13 Vict. c. 109.	An Act, the title of which begins with the words "An Act to amend" and ends with the words "said Court." In part; namely,— Preamble. The words "And be it enacted that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Sections eleven to fourteen. Sections seventeen to twenty. Section twenty-eight. Section twenty-nine, the words "hereafter to be commenced." Sections thirty-two and thirty-three. Sections thirty-eight and forty. Sections fifty and fifty-one.

Reign and Chapter.	Title.
12 & 13 Vict. c. 110.	An Act the title of which begins with the words "An Act for suspending" and ends with the words "certain Cases." In part; namely,— Preamble and to "same that."
13 & 14 Vict. c. 4.	An Act for requiring the Transmission of annual Abstracts of Accounts and Statements of Trustees or Commissioners of Turnpike Roads and Bridges in Ireland to the Lord Lieutenant, to be laid before Parliament. In part; namely,— Title, the words "Turnpike Roads and." Preamble and section one, to "same, that." The words "turnpike road or" "road or" "And be it enacted, that," "or other Chief Governor or Governors of Ireland" wherever they occur. Section two, the words "respective turnpike road and," from "on or before" to "in like manner," and "for the time being the like." Section three, the words "roads and" and "turnpike and."
13 & 14 Vict. c. 7.	An Act for consolidating the Office of the Registrar of Metropolitan Public Carriages with the Office of Commissioners of Police of the Metropolis, and making other Provisions in regard to the consolidated Offices. In part; namely,— Preamble. The words "And be it enacted, that" in sections two, four, seven, and eight. Section three. Section five, to "enacted, that." Section six, the words "and be it enacted." Section eight, the word "that" before "all the"
13 & 14 Vict. c. 17.	An Act to amend an Act of the last Session of Parliament, for granting Relief against Defects in Leases made under Powers of Leasing. In part; namely,— The words "And be it enacted, that" in sections two and three.
13 & 14 Vict. c. 18.	An Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section four. Section twenty-four. Section twenty-seven. Sections thirty to thirty-seven. Section forty. Section forty-one. Section forty-two, from "and that when" to the end of the section. Section forty-three, to "this Act" where those words first occur.

Reign and Chapter.	Title.
13 & 14 Vict. c. 18.—*cont.*	Section forty-four, to "this Act." Sections forty-six to forty-eight. Section fifty-one, from "and that the words recorder" to "as the case may be."
13 & 14 Vict. c. 20.	An Act to amend an Act of the Fifth and Sixth Years of Her present Majesty, for the Appointment and Payment of Parish Constables. In part; namely,— Preamble and section one, to "same, that." Section seven, to "enacted, that," and the word "that" before "nothing herein-before." Section eight, to "enacted that."
13 & 14 Vict. c. 26.	An Act to repeal an Act of the Sixth Year of King George the Fourth, for encouraging the Capture or Destruction of Piratical Ships and Vessels; and to make other Provisions in lieu thereof. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section three, the words "said Lords Commissioners of the," occurring twice. Section five, the words "her heirs and successors."
13 & 14 Vict. c. 28.	An Act to render more simple and effectual the Titles by which Congregations or Societies for Purposes of Religious Worship or Education in England and Ireland hold Property for such Purposes. In part; namely,— Preamble and section one to "same, that." The words "And be it enacted, that" wherever they occur.
13 & 14 Vict. c. 29.	An Act to amend the Laws concerning Judgments in Ireland. In part; namely,— Preamble. Section one, to "same, that" and the words "the sixth year of King William the Fourth and." The words "And be it enacted, that" wherever they occur except in section ten. Section ten, the words "and be it enacted." Section twelve, to "enacted, that."
13 & 14 Vict. c. 31.	An Act to authorize further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances. In part; namely,— Preamble. Section one. The words "And be it enacted, that" wherever they occur. Section five, to "repealed and" and the word "such" before "application." Section eight, the words "or this Act."

Reign and Chapter.	Title.
13 & 14 Vict. c. 36.	An Act to facilitate Procedure in the Court of Session in Scotland. In part; namely,— Preamble and section one to "same that." The words "And be it enacted, that" wherever they occur. Section sixteen, to "declared, that." Section twenty-four. Section thirty-seven, to "in future." Section forty-eight, to "enacted, that." Section fifty, to "enacted, that." Section fifty-four, the words "from and after the passing of this Act." Section fifty-five.
13 & 14 Vict. c. 37.	An Act for the further Extension of Summary Jurisdiction in Cases of Larceny. In part; namely,— Preamble. Section one, to "same, that," from "subsequently" to "this Act," and the word "that" before "the provisions." The words "And be it enacted, that" in sections two and three.
13 & 14 Vict. c. 39.	An Act for the better Government of Convict Prisons. In part; namely,— Preamble. Section one, to "same, that," and the word "said" before "prisons." Section two, to "enacted, that." Section four, the words "from and after the passing of this Act."
13 & 14 Vict. c. 43.	An Act to amend the Practice and Proceedings of the Court of Chancery of the County Palatine of Lancaster. In part; namely,— Section one, the words "from and after the passing of this Act," from "with the advice" to "having such custody," and the words "with such advice and consent as aforesaid" where they twice occur. The words "And be it enacted, that" wherever they occur except in sections two, three, eighteen and thirty-four, and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections two, three, eighteen and thirty-four. Section sixteen, to "this Act." Section nineteen, from "or for any" to "Chancery." Sections twenty-two and twenty-three. Section twenty-four, to "and enacted that." Section twenty-seven, from "and further that until" to the end of the section. Section twenty-eight. Section thirty-seven.

Reign and Chapter.	Title.
13 & 14 Vict. c. 51.	An Act for the transfer of the equitable jurisdiction of the Court of Exchequer to the Court of Chancery in Ireland. In part; namely,— Preamble. Section one. The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section eight, the words "on or after the said first "day of August one thousand eight hundred "and fifty," twice occurring, and from "and the orders" to the end of the section. Sections eleven and twelve. Section thirteen, the words "except as aforesaid," and "Commissioners of Her Majesty's" where they respectively twice occur. Sections fourteen, sixteen, seventeen, nineteen to twenty-one, twenty-three, and twenty-eight to thirty. Section thirty-one from "the expression" where first occurring to "Majesty: and."
13 & 14 Vict. c. 57.	An Act to prevent the holding of Vestry or other Meetings in Churches, and for regulating the Appointment of Vestry Clerks. In part; namely,— Preamble. Section one, to "same that," and the words "after the passing of this Act." The words "And be it enacted, that" wherever they occur.
13 & 14 Vict. c. 60.	An Act to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgagees and Trustees. In part; namely,— Preamble. Section two, to "declared that." The words "And be it enacted, that" wherever they occur. Section twenty, the words "the Governor and Company of" wherever they occur. Section twenty-one, so far as it relates to the Court of Chancery of the County Palatine of Lancaster. Section thirty-seven, the word "that" before "an order." Section forty-six, the words "her heirs or successors."
13 & 14 Vict. c. 67.	An Act the title of which begins with the words "An Act to reduce" and ends with the words "Brewers and Distillers." In part; namely,— Title, from "to reduce" to "and also," and the words "and Distillers." Section six, to "and fifty."
13 & 14 Vict. c. 68.	An Act to shorten the Duration of Elections in Ireland, and for establishing additional Places for taking the Poll thereat. In part; namely,— Preamble.

Reign and Chapter.	Title.
13 & 14 Vict. c. 68.—*cont.*	Section two. The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section five, from "from and" to "fifty-one." Section eight, from "after" to "fifty-one." Section nine, from "which shall" to "fifty-one." Section fifteen. Section eighteen, from "after the fifteenth" to "fifty-one." Section twenty-one, from "after the" to "fifty-one." Schedule (A.)
13 & 14 Vict. c. 69.	An Act to amend the laws which regulate the Qualification and Registration of Parliamentary Voters in Ireland, and to alter the Law for rating Immediate Lessors of Premises to the Poor Rate in certain Boroughs. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur, except in section four, and the word "that" wherever it occurs with reference to the introductory words so repealed. Section three, to "in force." Section four, the words "and be it enacted." Section eight, to "in force." Section nine, to "enacted, that" and the word "that" wherever it occurs. Section twelve. Section thirty-three, from "and shall likewise keep a copy" to the end of the section. Section thirty-four, from "and shall likewise keep copies" to the end of the section. Section fifty-five, from "correct any mistake" to "to be dead, and," from "and wherever the christian name" to "insert the same in such list," and from "and where the name of any person" to the end of the section. Section seventy-four, from "Provided always' to the end of the section. Section ninety-two, to "enacted, that." Section one hundred and eighteen. Schedules.
13 & 14 Vict. c. 72.	An Act to amend the Laws for the Registration of Assurances of Lands in Ireland. In part; namely,— Preamble and section one, to "same that." The words "Commissioners of Her Majesty's" in sections three, fifty-two, fifty-seven, and fifty-eight. The words "And be it enacted, that" wherever they occur, except in sections eighteen, forty-four, fifty-one, sixty and sixty-one, and the word "that" wherever it occurs with reference to the introductory words so repealed.

Reign and Chapter.	Title.
13 & 14 Vict. c. 72.—*cont.*	The words "and be it enacted" in sections eighteen, forty-four, fifty-one, sixty, and sixty-one. Section thirty-six, to "declared, that." Section thirty-seven, to "declared that." Section fifty-six, to "declared, that." Section sixty, the words "her heirs or successors" twice occurring.
13 & 14 Vict. c. 73.	An Act to amend the Law relating to Proceedings by Process of Attachment of Goods in the Borough and other Courts of Record in Ireland. In part; namely,— Preamble. Section two, to "this Act." Section three, to "this Act." Section four, to "this Act." The words "And be it enacted, that" in sections five, eight to ten, and twelve. The words "And be it enacted" in sections six and seven. Section eight, from "at or" to "this Act." Section ten, from "from and" to "this Act."
13 & 14 Vict. c. 74.	An Act for the better Regulation of the Office of Registrar of Judgments in Ireland. In part; namely,— Preamble. Section one, to "this Act." Section two, from "Commissioners" to "Majesty's," and the words "for the time being." Section three, to "lieu thereof." Section four, the words "her heirs and successors." Section nine. The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed.
13 & 14 Vict. c. 82.	An Act to extend the Remedies for the Collection of Grand Jury Cess in Ireland. In part; namely,— Preamble, and section one to "same, that." Section two, to "enacted, that."
13 & 14 Vict. c. 83.	An Act to facilitate the Abandonment of Railways, and the Dissolution of Railway Companies in certain cases. In part; namely,— Preamble, and section one to "same, that." The words "And be it enacted, that" in sections two to ten, twelve to fifteen, seventeen to nineteen, twenty-one to twenty-five, twenty-seven to twenty-nine, thirty-four, and thirty-seven to thirty-nine. The words "and be it enacted" in sections eleven, sixteen, twenty, twenty-six, thirty-five, and thirty-six.

Reign and Chapter.	Title.
13 & 14 Vict. c. 85.	An Act the title of which begins with the words "An Act to provide" and ends with the words "Assize Towns." In part; namely,— Preamble. The words "or other Chief Governor or Governors of Ireland" and "or other Chief Governor or Governors" wherever they occur. Section one, to "same, that," from "and sessions under" to "criminal business" and from "and in such case" to the end of the section. Section two, from "and sessions under" to "criminal business," the words "and sessions," "or sessions," "sessions or" (where thirdly occurring), and the word "sessions" where it twice thereafter occurs. The words "And be it enacted, that" in sections two and four. Section three, the words "and be it enacted," and from "or sessions under" to "criminal business." Section four, from "and sessions under" to "criminal business," and from "and in such cases" to the end of the section. Section five, to "enacted, that" and the word "sessions."
13 & 14 Vict. c. 88.	An Act to amend the Law relating to Engines used in the Rivers and on the Sea Coasts of Ireland for the taking of Fish. In part; namely,— Preamble. Section one, to "repealed; and that." The words "And be it enacted that" wherever they occur, except in sections fifteen, eighteen, thirty-two, and fifty-six, and the word "that" wherever it occurs with reference to the introductory words so repealed. The words "and be it enacted" in sections fifteen, eighteen, thirty-two, and fifty-six. Section five, to "therefore enacted that." Section thirteen, to "this Act," and the words "the next elections for conservators, and at." Section twenty-two, to "this Act," where those words first occur. Section thirty-six, to "enacted that." Section forty-seven, to "enacted that." Section fifty-six, the words "her heirs or successors."
13 & 14 Vict. c. 89.	An Act to regulate the Proceedings in the High Court of Chancery in Ireland. In part; namely,— Preamble. Section thirty-three, from "and shall be" to the end of the section. Sections thirty-four and thirty-five. Section thirty-six, from "on the first" where those words first occur to "October." Sections thirty-seven to thirty-nine.

Reign and Chapter.	Title.
13 & 14 Vict. c. 89.—*cont.*	Section forty-one. Section forty-four. The words "And be it enacted, that" wherever they occur.
13 & 14 Vict. c. 91.	An Act the title of which begins with the words "An Act to authorize" and ends with the words "for which they act."
13 & 14 Vict. c. 92.	An Act for the more effectual Prevention of Cruelty to Animals in Scotland. In part; namely,— Section one, the words "from and after the passing of this Act." Section eleven, the word "stewartry." The words "And be it enacted, that" wherever they occur.
13 & 14 Vict. c. 94.	An Act to amend the Acts relating to the Ecclesiastical Commissioners for England. In part; namely,— Preamble. Section one, to "same that" the words "United" "and Ireland" and "for the time being" occurring before "appointed." The words "Commissioners of Her Majesty's," wherever they occur, in sections two and fourteen, and the word "said" where it last occurs in section fourteen. The words "for England" wherever they occur in sections two, fifteen, and twenty. The words "And be it enacted, that" wherever they occur. Section fifteen, the words "from and after the passing of this Act." Section twenty-four, to "enacted, that." Section twenty-five, to "enacted, that." Section twenty-seven, to "enacted, that."
13 & 14 Vict. c. 97.	An Act to repeal certain Stamp Duties, and to grant others in lieu thereof; and to amend the Laws relating to the Stamp Duties. In part; namely,— Title from "to repeal" to "thereof, and." Section eight, to "enacted, that" and the words "her heirs and successors."
13 & 14 Vict. c. 98.	An Act to amend the Law relating to the holding of Benefices in Plurality. In part; namely,— Preamble. The words "And be it enacted, that" wherever they occur. The words "after the passing of this Act," wherever they occur in sections one, five, and six. Sections one and two. Section ten. Section eleven, the words "for England," where they secondly occur. Section twelve.

Reign and Chapter.	Title.
13 & 14 Vict. c. 101.	An Act the title of which begins with the words "An Act to continue" and ends with the words "Relief of the Poor." In part; namely,— Title from "to continue" to "Fund; and." The words "And be it enacted, that" wherever they occur. Section four, to "enacted, that." Section eleven, the word "that" before "all the."
13 & 14 Vict. c. 105.	An Act for facilitating the Union of Liberties with the Counties in which they are situate. In part; namely,— Preamble and section one, to "same that." The words "And be it enacted, that" wherever they occur, except in section ten. Section ten, the words "and be it enacted."
13 & 14 Vict. c. 114.	An Act to repeal the Stamp Duties on Proceedings in the Courts of Law in Ireland, and to grant certain other Stamp Duties in lieu thereof. In part; namely,— Preamble. Section one, to "same, that," the words "her heirs and successors," and the word "that." Section two, to "enacted, that," and the word "that" before "the several." Section three, to "of this Act." Section four, to "and fifty."

CHAPTER 68.

An Act to alter the Date of holding County Council Elections, and to remove Doubts respecting the Holding of such Elections. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Change of date of elections.

1.—(1.) The ordinary day of election of county councillors in each county shall be such day between the first and eighth day of March as the county council may fix, and, if no date is so fixed, shall be the eighth day of March.

(2.) The ordinary day of retirement of county councillors shall be the eighth day of March in every third year, and on that day the county councillors then in office shall retire together, and their places shall be filled by the newly-elected councillors, who shall come into office on that day.

(3.) The sixteenth day of March or such other day within ten days after the ordinary day of retirement of county councillors as the council of any county may from time to time fix for that county, shall, in substitution for the ninth day of November, be the

ordinary day of election of the chairman, and of the aldermen, and the day for holding a quarterly meeting, and if the county council fix any hour for the quarterly meeting, that hour shall be substituted for the hour specified in the Municipal Corporations Act, 1882.

45 & 46 Vict. c. 50.

(4.) All periods which, in the enactments of the Municipal Corporations Act, 1882, are computed by reference to the first or ninth day of November shall, so far as those enactments apply to county councils, be computed by reference to such of the above-mentioned days then next following as the case requires.

The ordinary day of election of councillors shall be fixed by the county council not less than six weeks before the ordinary day of retirement of county councillors.

Nothing shall authorise or require a returning officer to hold an election of a county councillor to fill a casual vacancy which occurs within six months before the ordinary day of retirement of county councillors.

County registers.

2.—(1.) The county register shall be completed before the twentieth day of December in every year and come into operation on the next first day of January.

(2.) The burgess lists forming the burgess roll, which comes into operation on the first day of November in every year, shall on and after that day until the next first day of January form part of the county register in substitution for the former burgess lists.

Removal of doubts and amendment as to election of county councillors in boroughs.

3. For the purpose of the election of county councillors for any electoral division which is co-extensive with, or wholly comprised in, a municipal borough, the following provisions shall have effect:—

(*a.*) The mayor of the borough, or some person appointed by him, or, if the mayor is dead or absent or otherwise incapable of acting, an alderman appointed by the council of the borough, shall be the returning officer, and so far as respects such election shall follow the instructions of, and return the names of the persons elected to, the county returning officer:

51 & 52 Vict. c. 41.

(*b.*) Nothing in section seventy-five of the Local Government Act, 1888, substituting the returning officer or his deputy for the town clerk, shall extend to any such election.

Transitory provisions.

4. The chairmen and vice-chairmen of county councils, and the deputy chairman of the London County Council, county aldermen, and county councillors, and committees (including the members of a joint committee appointed by a county council) whose term of office would but for this Act expire on the ordinary day of election in November next after the passing of this Act, shall go out of office on the next following ordinary day of election or retirement (as the case may be) fixed by this Act, and their term of office shall be extended accordingly; but nothing shall authorise or require the returning officer to hold an election of a county councillor to fill a casual vacancy at any time before the ordinary day of election next after the passing of this Act, and the aldermen whose term of office would, but for this Act, expire at the end of three years after the November next after the passing of this Act shall go out of office on the ordinary day of election next following the end of those years, and their term of office shall be extended accordingly.

Amendment of 45 & 46 Vict. c. 50; ss. 34, 35. and 51 & 52 Vict. c. 41. s. 75.

5. The declaration required under sections thirty-four and thirty-five of the Municipal Corporations Act, 1882, to be made by a person elected to a corporate office in a county may be made at any time within three months after notice of the election, and such declaration may be made either in the manner prescribed by the Local Government Act, 1888, or before any justice of the peace or commissioner to administer oaths in the Supreme Court of Judicature.

Returning officer not disqualified for membership of county council.

6. It is hereby declared that a person shall not be disqualified, nor be deemed ever to have been disqualified, under section twelve of the Municipal Corporations Act, 1882, for being a member of a county council by reason only of his being appointed returning officer by that council, except where he has directly or indirectly by himself or his partner received any profit or remuneration in respect of such appointment.

Repeal.

7. The Act specified in the Schedule to this Act is hereby repealed to the extent in the third column of that schedule mentioned.

Short title and construction.

8. This Act may be cited as the County Councils (Elections) Act, 1891, and shall be construed as one with the Local Government Act, 1888.

SCHEDULE.

Enactments Repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
51 & 52 Vict. c. 41.	The Local Government Act, 1888.	Section seventy-five, from "In "a year in which" to "be "conducted together," being sub-section one; from "In "a borough the returning "officer" down to "construed to refer to the town clerk," being sub-section six; and from "The period between" down to "returning officer may fix," being sub-section nine; and from "The seventh of November" to "quarterly "meeting of the county "council," being sub-section thirteen; and from "shall authorise or require" to "such electoral division or," being paragraph (*d*) of sub-section sixteen.

CHAPTER 69.

An Act to amend the Law relating to Penal Servitude and the Prevention of Crime. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of law as to term of penal servitude and as to sentences of imprisonment.

1.—(1.) Where under any enactment in force when this section comes into operation a court has power to award a sentence of penal servitude, the sentence may, at the discretion of the court, be for any period not less than three years, and not exceeding either five years, or any greater period authorised by the enactment.

(2.) Where under any Act now in force or under any future Act a court is empowered or required to award a sentence of penal servitude, the court may in its discretion, unless such future Act otherwise provides, award imprisonment for any term not exceeding two years, with or without hard labour.

27 & 28 Vict. c. 47.

(3.) Section two of the Penal Servitude Act, 1864, is hereby repealed with respect to any sentence awarded after the date at which this section comes into operation.

Amendment of law as to apprehension of licensees and supervisees. 34 & 35 Vict. c. 112.

2.—(1.) Any constable may take into custody without warrant any holder of a licence under the Penal Servitude Acts, or any person under the supervision of the police in pursuance of the Prevention of Crimes Act, 1871, whom he reasonably suspects of having committed any offence, and may take him before a court of summary jurisdiction to be dealt with according to law.

(2.) Any convict may be convicted before a court of summary jurisdiction of an offence against section three of the Prevention of Crimes Act, 1871, although he was brought before the court on some other charge or not in manner provided by that section.

34 & 35 Vict. c. 112.

27 & 28 Vict. c. 47.

(3.) Section six of the Penal Servitude Act, 1864, is hereby repealed.

Power to grant licences in cases of unexpired terms.

3.—(1.) Where an offender is, under section nine of the Penal Servitude Act, 1864, undergoing, or liable to undergo, a term of penal servitude in consequence of the forfeiture or revocation of a licence granted in pursuance of the Penal Servitude Acts, Her Majesty may grant a licence to the offender in like manner as if the forfeiture or revocation of the former licence were a sentence of penal servitude which the offender is liable to undergo.

(2.) Where a person is sentenced on any conviction to a term of penal servitude, and by virtue of the same conviction his licence is forfeited, the term for which he is sentenced, together with the term which he is required further to undergo under the said section, shall, for all purposes of the Penal Servitude Acts relating to licences, be deemed to be one term of penal servitude, and those Acts shall apply as if, on conviction of the offence, the offender had been sentenced to the combined term.

27 & 28 Vict. c. 47.

(3.) In section nine of the Penal Servitude Act, 1864, the words "on indictment of any offence" shall be substituted for the words "of any indictable offence," and in Schedule A. to the said Act

the words "on indictment of some offence" shall be substituted for the words "of some indictable offence."

Amendment of law as to notices of residence to be given by licensees and supervisees. 42 & 43 Vict. c. 55.

4.—(1.) Sections five and eight of the Prevention of Crimes Act, 1871, and section two of the Prevention of Crimes Act, 1879 (which recites and refers to those sections), shall have effect as if the following substitutions had been made in the said sections five and eight; that is to say,

(*a.*) As if for the words "and whenever he changes his residence "from one police district to another shall notify such change "of residence to the chief officer of police of the police district "which he is leaving, and to the chief officer of police of the "police district into which he goes to reside" occurring in each section there had been substituted in each section the following words:

"and whenever he is about to leave a police district he shall "notify such his intention to the chief officer of police of that "district, stating the place to which he is going, and also, if "required, and, so far as is practicable, his address at that "place, and whenever he arrives in any police district he shall "forthwith notify his place of residence to the chief officer of "police of such last-mentioned district;" and

(*b.*) As if for the words in section five, from "If any holder" to the end of the section, and for the words in section eight, from "If any person" to the end of the section, there had been substituted in each section the following words:—

"If any person to whom this section applies fails to comply with any of the requisitions of this section, he shall, in any such case, be guilty of an offence against this Act, unless he proves to the satisfaction of the court before whom he is tried, either that being on a journey he tarried no longer in the place, in respect of which he is charged with failing to notify his place of residence, than was reasonably necessary, or that otherwise he did his best to act in conformity with the law; and on conviction of such offence it shall be lawful for the court in its discretion either to forfeit his licence, or to sentence him to imprisonment with or without hard labour for a term not exceeding one year.

(2.) Her Majesty may, by order under the hand of a Secretary of State, remit any of the requirements of sections five and eight of the Prevention of Crimes Act, 1871, either generally or in the case of any holder of a licence or person subject to the supervision of the police.

Amendment of 27 & 28 Vict. c. 47. ss. 4, 8.

5. The provisions of the Penal Servitude Act, 1864, applying to a licence in the form set forth in Schedule A. to that Act, shall apply also to a licence in any other form for the time being authorised by section ten of that Act.

Extension of 34 & 35 Vict. c. 112. s. 7.

6. A person who has been convicted on indictment of a crime within the meaning of the Prevention of Crimes Act, 1871, and against whom a previous conviction of such a crime is proved shall,

(*a.*) if the second sentence is to a term of imprisonment, then at any time within seven years after the expiration of the sentence; and

(*b.*) if the second sentence is to a term of penal servitude, then whilst at large on licence under that sentence, and also at any time within seven years after the expiration of the sentence,

be guilty of an offence against the Prevention of Crimes Act, 1871, under the circumstances stated in section seven of that Act or any of them, and may be taken into custody in manner provided by that section.

Amendment of 5 Geo. 4. c. 83. and 34 & 35 Vict. c. 112. s. 15 as to rogues and vagabonds.

7. Section four of the Act passed in the fifth year of the reign of King George the Fourth, chapter eighty-three, intituled "An "Act for the punishment of idle and disorderly persons and rogues "and vagabonds in that part of Great Britain called England," as amended by section fifteen of the Prevention of Crimes Act, 1871, shall be read and construed as if the provisions applying to suspected persons and reputed thieves frequenting the places and with the intent therein described, applied also to every suspected person or reputed thief loitering about or in any of the said places and with the said intent.

Regulations as to measuring and photographing of prisoners.

8. The Secretary of State may make regulations as to the measuring and photographing of all prisoners who may for the time being be confined in any prison; and all the provisions of section six of the Prevention of Crimes Act, 1871, with respect to the photographing of prisoners shall apply to any regulations as to measuring made in pursuance of this section. All regulations made under this section shall be laid before both Houses of Parliament as soon as practicable after they are made.

Application to Scotland and Ireland.

9. The powers of the Secretary of State under this Act shall be exercised as to Scotland by the Secretary for Scotland, and as to Ireland by the Lord Lieutenant.

Application of penal servitude provisions to Channel Islands and Isle of Man.

10. Any person convicted in the Channel Islands or the Isle of Man of an offence for which he is sentenced to penal servitude may be confined, removed, and otherwise dealt with in the same place and manner as if he had been convicted in the United Kingdom.

Short title. 16 & 17 Vict. c. 99. 20 & 21 Vict. c. 3. 27 & 28 Vict. c. 47.

11. This Act may be cited as the Penal Servitude Act, 1891, and this Act and the Penal Servitude Acts, 1853, 1857, and 1864, may be cited collectively as the Penal Servitude Acts, 1853 to 1891, and are in this Act referred to as the Penal Servitude Acts.

CHAPTER 70.

An Act to amend the Markets and Fairs (Weighing of Cattle) Act, 1887. [5th August 1891.]

50 & 51 Vict. c. 27.

WHEREAS it is expedient to amend the Markets and Fairs (Weighing of Cattle) Act, 1887 (herein-after referred to as the principal Act):

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Transfer of powers under 50 & 51 Vict. c. 27. s. 9.

1. As from the passing of this Act the powers under section nine of the principal Act of the Local Government Board as to England and Wales and of the Secretary for Scotland as to Scotland shall be transferred to and vest in the Board of Agriculture, and the powers under the same section of the Local Government Board for Ireland shall be transferred to and vest in the Irish Land Commission.

Amendment of 50 & 51 Vict. c. 27. s. 4. as to accommodation for weighing cattle.

2.—(1.) The market authority of every market and fair to which the principal Act for the time being applies shall, unless exempted by order of the Board of Agriculture from the requirements of this section, provide and maintain to the satisfaction of the Board sufficient and suitable accommodation for weighing cattle.

(2.) Default in complying with the requirements of this section shall be deemed default in complying with the requirements of section four of the principal Act.

Statistics as to weight and sale of cattle.

3.—(1.) The market authority of every market and fair held in any of the places mentioned in the schedule to this Act shall send to the Board of Agriculture returns, at such intervals, and in such form and with such particulars as the Board of Agriculture by order prescribe, showing, so far as the market authority can ascertain the same, the number of cattle entering and the number and weight of cattle weighed at the market or fair, and the price of the cattle sold thereat. Such market authority may, for the purpose of making a prescribed return, cause any cattle which have been sold at the market to be weighed without fee.

(2.) The Board of Agriculture shall publish the returns so sent, or abstracts thereof, or extracts therefrom, in such manner as they think most expedient for the information of the public.

(3.) If a market authority wilfully makes default in complying with the requirements of this section, it shall for each offence be liable on summary conviction to a fine not exceeding twenty pounds, or in case of a continuing offence to a fine not exceeding ten pounds for every day during which the offence continues.

(4.) If any person makes any false or fraudulent statement in any return made in pursuance of this section he shall be guilty of a misdemeanor.

(5.) The Board of Agriculture may from time to time vary or add to the list of places in the schedule to this Act.

Application of Act to auction marts.

4.—(1.) An auctioneer shall not, unless exempted by order of the Board of Agriculture from the requirements of this section, sell cattle at any mart where cattle are habitually or periodically sold, unless there are provided at that mart similar facilities for weighing cattle as are required by the principal Act and this Act in the case of cattle sold at a market or fair to which the principal Act applies.

(2.) Every auctioneer who in any place from which returns are required to be made under this Act sells cattle at any such mart as aforesaid shall, unless exempted as aforesaid, make the like returns to the Board of Agriculture with respect to cattle entering, weighed, and sold at that mart as are required by this Act to be made by a market authority, and shall be subject to the like penalty for making any false or fraudulent statement in any such return.

(3.) If any such auctioneer makes default in complying with the requirements of this section, the auctioneer, or, if he is in the employment of any person, the person by whom he is employed, shall for each offence be liable on summary conviction to a fine not exceeding twenty pounds, or in case of a continuing offence to a fine not exceeding ten pounds for every day during which the offence continues.

(4.) This section shall not come into operation until the first day of January one thousand eight hundred and ninety-two.

Application to Ireland.

5. This Act shall, in its application to Ireland, be construed as if for the expression "the Board of Agriculture" were substituted the expression "the Irish Land Commission."

Construction and short title.

6. This Act shall be construed as one with the principal Act, and may be cited as the Markets and Fairs (Weighing of Cattle) Act, 1891, and the principal Act and this Act may be cited together as the Markets and Fairs (Weighing of Cattle) Acts, 1887 and 1891.

SCHEDULE.

ENGLAND.

Ashford.
Birmingham.
Bristol.
Leicester.
Leeds.
Lincoln.
Liverpool (Stanley Market).
London (Metropolitan Cattle Market).
Newcastle-on-Tyne.
Norwich.
Salford.
Shrewsbury.
Wakefield.
York.

SCOTLAND.

Aberdeen.
Dundee.
Edinburgh.
Glasgow.
Perth.

IRELAND.

Belfast.
Cork.
Dublin.

CHAPTER 71.

An Act to amend the Labourers, Ireland, Acts.

[5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Labourers (Ireland) Act, 1891.

Construction of Act.

2. This Act shall be construed as one with the Labourers (Ireland) Acts, 1883 to 1886 (herein-after referred to as "the said Acts"), except in so far as the said Acts are expressly altered or varied by this Act or are inconsistent therewith, and, together with the said Acts, may be cited as the Labourers (Ireland) Acts, 1883 to 1891.

Meaning of a representation. 46 & 47 Vict. c. 60.

3. Notwithstanding anything contained in the fifth section of the Labourers (Ireland) Act, 1883, a representation in pursuance of the said Acts shall mean a representation signed by not less than twelve persons, whether rated for the relief of the poor within the sanitary district or not, provided that the said persons, if not so rated, come within the definition of an agricultural labourer contained in the fourth section of the Labourers (Ireland) Act, 1886, and are at the date of the application employed within the said district.

49 & 50 Vict. c. 59.

Local inquiry to be held.

4. Where a sanitary authority has failed to pass any resolution in relation to a representation under the Labourers (Ireland) Acts, 1883 to 1886, as amended by this Act, or has passed a resolution to the effect that they will not proceed with an improvement scheme, the Local Government Board may, if they think fit, if required by the persons who have signed the said representation, direct a local inquiry to be held and a report to be made to them with respect to the correctness of the representation made to the sanitary authority, and any matters connected therewith on which the Local Government Board may desire to be informed.

Provision in case of non-compliance of order for accommodation of labourers. 45 & 46 Vict. c. 60. 44 & 45 Vict. c. 49.

5. In any case in which an order has been or shall be made under section three of the Labourers Cottages and Allotments (Ireland) Act, 1882, or under section nineteen of the Land Law (Ireland) Act, 1881, for providing accommodation for the labourers employed on any holding, and such order has not been complied with within six months after the date of such order, it shall be the duty of the Local Government Board, upon the complaint of any six householders resident in the sanitary district within which the holding in respect of which the said order was made is, to make such complaint as mentioned in, and to put in force the provisions of, section four of the Labourers Cottages and Allotments (Ireland) Act, 1882.

Amendment of errors in improvement scheme.

6.—(1.) When, at any local inquiry held pursuant to the directions of the Local Government Board with reference to an improve-

ment scheme made by a sanitary authority under the provisions of the said Acts, it shall appear that in such improvement scheme, or any plan or book of reference annexed thereto, any omission, mistake, mis-statement, or erroneous description shall have been made of any lands, or of the owner, lessee, or occupier of any land referred to therein, the Local Government Board may, on such terms as they may think fit, amend such improvement scheme, or any plan or book of reference annexed thereto, and supply any such omission or correct any such mistake, mis-statement, or erroneous description, and shall direct any such additional notices to be served or advertisements to be published as they may think fit, and direct any such adjourned inquiry to be held as they may think necessary in consequence of such alterations and amendments.

(2.) Where at any such local inquiry as aforesaid it shall appear that any notice necessary to be served or advertisement required to be published owing to inadvertence has not been or has been imperfectly or irregularly served or published, such inquiry may be adjourned to enable such notice or advertisement to be properly served or published.

Requisites of improvement scheme of sanitary authority.

7. So much of the sixth section of the Labourers (Ireland) Act, 1883, as enacts that an improvement scheme shall provide for a plot or garden not exceeding half a statute acre being allotted to each dwelling, shall not apply to an improvement scheme made under this Act for the purpose of providing suitable dwellings for agricultural labourers in villages or towns.

Power to inspector to perform duties of sanitary authority.

8. When an inspector to the Local Government Board has held a local inquiry in any sanitary district, whether rural or urban, under section four of this Act, and it appears upon the report of the inspector that the representation is correct, the sanitary authority shall within three months take steps for carrying an improvement scheme into execution, and if in any case the sanitary authority shall not take such steps as the inspector may deem sufficient, he shall be and is hereby required to make complaint to the Local Government Board that the sanitary authority has made default in carrying out an improvement scheme. And the Local Government Board, if satisfied that the sanitary authority has been guilty of the alleged default, may if they think fit, make an order giving the inspector authority to exercise all the powers and to perform all the duties of the sanitary authority as provided for in the Labourers (Ireland) Acts, 1883 to 1891.

CHAPTER 72.

An Act to amend the Coinage Act, 1870.

[5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision as to exchange of light gold coins. 33 & 34 Vict. c. 10.

1.—(1.) It shall be lawful for Her Majesty, by Order in Council, to direct that gold coins of the realm which have not been called in by proclamation and are below the least current weight as provided by the Coinage Act, 1870, shall, if they have not been illegally dealt with, and subject to such conditions as to time, manner, and order of presentation, as may be mentioned in the Order, be exchanged or paid for by or on behalf of the Mint at their nominal value.

(2.) For the purposes of this Act a gold coin shall be deemed to have been illegally dealt with where the coin has been impaired, diminished, or lightened otherwise than by fair wear and tear, or has been defaced by having any name, word, device, or number stamped thereon, whether the coin has or has not been thereby diminished or lightened.

(3.) In a sovereign or half sovereign loss of weight exceeding three grains from the standard weight shall, for the purposes of this Act, be primâ facie evidence that the coin has been impaired, diminished, or lightened otherwise than by fair wear and tear.

(4.) Towards meeting the expenses to be incurred in pursuance of this section the sum of four hundred thousand pounds shall be charged on and issued from the Consolidated Fund in the year ending the thirty-first day of March, one thousand eight hundred and ninety-two, and, so far as not immediately required, may be invested in such manner as the Treasury direct; and any interest thereon shall be applied for the purposes of this section.

Remedy allowances for coin.

2. The remedy allowances for gold, silver, and bronze coins shall be such as are specified in the schedule to this Act; and in all copies of the Coinage Act, 1870, printed after the passing of this Act, the First Schedule to that Act shall be printed so as to give effect to the amendments made by this section.

Short titles and construction.

3.—(1.) This Act may be cited as the Coinage Act, 1891.

(2.) This Act and the Coinage Act, 1870, may be cited together as the Coinage Acts, 1870 and 1891.

(3.) Expressions used in this Act have the same meaning as in the Coinage Act, 1870.

SCHEDULE.

Denomination of Coin.	Standard Fineness.	Remedy Allowance.		
		Weight per Piece.		Millesimal Fineness.
		Imperial Grains.	Metric Grams.	
GOLD :				
Five-pound	Eleven twelfths fine gold, one twelfth alloy; or millesimal fineness 916·6.	1·00	0·06479	2
Two-pound		0·40	0·02592	
Sovereign		0·20	0·01296	
Half-sovereign		0·15	0·00972	
SILVER :				
Crown	Thirty-seven fortieths fine silver, three-fortieths alloy ; or millesimal fineness 925.	2·000	0·1296	4
Double-florin		1·678	0·1087	
Half-crown		1·264	0·0788	
Florin		0·997	0·0646	
Shilling		0·578	0·0375	
Sixpence		0·346	0·0224	
Groat or Fourpence		0·262	0·0170	
Threepence		0·212	0·0138	
Twopence		0·144	0·0093	
Penny		0·087	0·0056	
BRONZE :				
Penny	Mixed metal, copper, tin and zinc.	2·91666	0·18899	None.
Halfpenny		1·75000	0·11339	
Farthing		0·87500	0·05669	

CHAPTER 73.

An Act to amend the Mortmain and Charitable Uses Act, 1888, and the Law relating to Mortmain and Charitable Uses. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

1. This Act may be cited as the Mortmain and Charitable Uses Act, 1891.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Definition of "land." 51 & 52 Vict. c. 42.

3. "Land" in the Mortmain and Charitable Uses Act, 1888, and in this Act, shall include tenements and hereditaments, corporeal or incorporeal, of any tenure, but not money secured on land or other personal estate arising from or connected with land"; † and the definition of land contained in the Mortmain and Charitable Uses Act, 1888, is hereby repealed.

Meaning of "assurance."

4. In this Act the word "assurance" shall have the same meaning as in the Mortmain and Charitable Uses Act, 1888.

5. Land may be assured by will to or for the benefit of any charitable use, but, except as herein-after provided, such land shall, notwithstanding anything in the will contained to the contrary, be sold within one year from the death of the testator, or such extended period as may be determined by the High Court, or any judge thereof sitting at chambers, or by the Charity Commissioners. Land assured by will for a charitable purpose to be sold.

6. So soon as the time limited for the sale of any lands under any such assurance shall have expired without completion of the sale of the land, the land unsold shall vest forthwith in the official trustee of charity lands, and the Charity Commissioners shall take all necessary steps for the sale or completion of the sale of such land to be effected with all reasonable speed by the administering trustees for the time being thereof, and for this purpose the said Commissioners may make any order under their seal directing such trustees to proceed with the sale or completion of the sale of the said land or removing such trustees and appointing others, and may provide by any such order for the payment of the proceeds of sale to the official trustees of charitable funds in trust for the charity, and for the payment of the costs and expenses incurred by the said administering trustees in or connected with such sale, and every such order shall be enforceable by the same means and be subject to the same provisions as are applicable under the Charitable Trusts Act, 1853, and the Acts amending the same, respectively, to any orders of the said Commissioners made thereunder. Land after expiration of time limited for sale to be sold by order of Charity Commissioners. 16 & 17 Vict. c. 137.

7. Any personal estate by will directed to be laid out in the purchase of land to or for the benefit of any charitable uses shall, except as herein-after provided, be held to or for the benefit of the charitable uses as though there had been no such direction to lay it out in the purchase of land. Personal estate by will directed to be laid out in land not to be so laid out.

8. It shall be lawful for the High Court, or any judge thereof sitting at chambers, or for the Charity Commissioners, if satisfied that land assured by will to or for the benefit of any charitable use, or proposed to be purchased out of personal estate by will directed to be laid out in the purchase of land, is required for actual occupation for the purposes of the charity and not as an investment, by order to sanction the retention or acquisition, as the case may be, of such land. Power to retain land in certain cases.

9. This Act shall only apply to the will of a testator dying after the passing of this Act. Application of Act.

10. Nothing in this Act contained shall limit or affect the exemptions contained in Part Three of the Mortmain and Charitable Uses Act, 1888, or apply to any land or personal estate to be laid out in the purchase of land acquired under any assurance to which such exemptions or any of them apply, or shall exclude or impair any jurisdiction or authority which might otherwise be exercised by a court or judge of competent jurisdiction or by the Charity Commissioners. Saving.

CHAPTER 74.

An Act to amend and explain the Foreign Marriage Acts. [5th August 1891.]

12 & 13 Vict. c. 68. 31 & 32 Vict. c. 61. 53 & 54 Vict. c. 47.

WHEREAS the Consular Marriage Act, 1849, and the Acts amending the same were by the Marriage Act, 1890, extended to marriages in British Embassies and on board Her Majesty's ships and other places, and by the Marriage Act, 1890, power was given to Her Majesty the Queen in Council to make regulations for adapting the said Acts to those marriages and for other purposes therein mentioned, and it is expedient to remove various doubts which have arisen respecting the application of the said Acts, and respecting the powers which may be exercised by the said regulations, in this Act referred to as the "marriage regulations," and to make further provision for the said extension:

And whereas it is expedient further to amend the said Acts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited as the Foreign Marriage Act, 1891.

This Act shall be construed as one with the Consular Marriage Act, 1849, the Consular Marriage Act, 1868, and the Marriage Act, 1890, and this Act and those Acts may be cited together as the Foreign Marriage Acts, 1849 to 1891, and are in this Act referred to as the Foreign Marriage Acts.

Period of residence for marriage.

2. The period of residence required for a marriage under the Foreign Marriage Acts shall be three weeks, and accordingly in section two of the Consular Marriage Act, 1849, one week shall be substituted for one calendar month.

Declaration before marriage.

3. Before any marriage is solemnized under the Foreign Marriage Acts both the parties intending marriage shall appear before the consul, and each of them shall make oath—

(*a*) that he or she believes that there is not any impediment in kindred or alliance, or other lawful hindrance to the marriage; and

(*b*) unless the requirements of the Foreign Marriage Acts as to residence have been dispensed with, that both of the parties have for three weeks immediately preceding had their usual places of abode within the district of the consul; and

(*c*) where either of the parties, not being a widower or widow, is under the age of twenty-one years, that the consent of the person or persons whose consent to the marriage is required by law has been obtained thereto, or, as the case may be, that there is no person having authority to give such consent.

Registration of marriages solemnized under local law.

4.—(1.) Subject to the marriage regulations, a British consular officer, on being satisfied by personal attendance that a marriage between parties being British subjects, or of whom one is a British

subject, has been duly solemnized in a foreign country in accordance with the local law of the country, and on payment of the fee required by law, may register the marriage in accordance with the marriage regulations as having been so solemnized, and thereupon the Foreign Marriage Acts shall apply as if the marriage had been registered in pursuance of those Acts, except that nothing in this section shall affect the validity of the marriage so solemnized.

(2.) Section six of the Marriage Act, 1890, is hereby repealed.

Explanation and extension of 53 & 54 Vict. c. 47. s. 9 as respects the making of regulations by Queen in Council.

5.—(1.) The marriage regulations may—

(*a*) authorise the officer by or before whom the regulations determine that marriages in the house of a British ambassador or minister, or on board one of Her Majesty's vessels, may be solemnized or registered, to act without any such written authority as is mentioned in the Consular Marriage Act, 1849; and so authorise him whether he is described in the regulations or is named in pursuance thereof;

(*b*) authorise the appointment of a person to act under the Foreign Marriage Acts in the place of any such high commissioner or resident as is mentioned in the Marriage Act, 1890;

(*c*) prescribe the forms to be used in substitution for or in addition to those in the schedules to the Consular Marriage Act, 1849; and

(*d*) make such provision as may seem necessary or proper for carrying into effect the Foreign Marriage Acts, or any marriage regulations.

(2.) The regulations providing for the matters in this section mentioned are included in this Act in the expression "marriage regulations," and the marriage regulations may be made either generally or with reference to any particular case or class of cases.

(3.) Section nine of the Marriage Act, 1890, shall have effect as if in paragraph (*d*) thereof for the words "by whom," were substituted the words "by or before whom."

Explanation of 12 & 13 Vict. c. 68. s. 19 as to the grant of authority to solemnize marriages.

6.—(1.) The written authority to solemnize and register marriages given by a Secretary of State in pursuance of section nineteen of the Consular Marriage Act, 1849, and any enactment amending that section, may be addressed to a marriage officer as herein-after defined by the name of his office, without designating the name of any particular person holding the office, and that authority may be executed by the person who for the time being holds or acts in the office described in the authority, and that person shall be a duly authorised consul within the meaning of the Foreign Marriage Acts, and the expression "consul" in those Acts shall, except where such meaning is inconsistent with the context, mean a marriage officer so authorised.

(2.) For the purposes of this Act a marriage officer means any British ambassador, minister, or chargé d'affaires, any British consular officer, and any other officer who, in pursuance of the Foreign Marriage Acts or the marriage regulations, can be authorised to solemnize and register marriages under the said Acts.

(3.) A Secretary of State may, by writing under his hand, vary or revoke any authority previously issued under section nineteen of the Consular Marriage Act, 1849, as amended by this section.

Avoidance of objections to marriages on account of want of authority of officer.

7.—(1.) Where a marriage purports to have been solemnized and registered in pursuance of the Foreign Marriage Acts or any of them in the house of a British ambassador or minister, or in a British consulate, or on board any of Her Majesty's vessels, it shall not be necessary in support of the marriage to give any proof of the authority of the marriage officer within the meaning of this Act by or before whom the marriage was solemnized and registered, nor shall any evidence to prove his want of authority, whether by reason of his not being a duly authorised officer or of any prohibitions or restrictions under the marriage regulations or otherwise, be given in any legal proceedings touching the validity of the marriage.

(2.) A certificate of a Secretary of State that any house, office, chapel, or other place is or is part of the house of a British ambassador or minister, or a British consulate, shall be conclusive.

Power to refuse solemnization of marriage where marriage inconsistent with international law.

8. A marriage officer shall not be required to solemnize a marriage, or to allow a marriage to be solemnized in his presence, if in his opinion the solemnization thereof would be inconsistent with international law or the comity of nations.

Provided that if any such officer refuses to solemnize or to allow to be solemnized in his presence the marriage of any person requiring the marriage to be solemnized, the person so requiring shall have a right of appeal to the Secretary of State, who shall thereupon either confirm the refusal or direct the solemnization of the marriage.

Abolition of marriage by licence.

9. Whereas section seven of the Marriage Act, 1890, abolished the distinction between the preliminaries required for marriages by licence and marriages without licence under the Consular Marriage Act, 1849, and it is accordingly expedient that marriages by licence under that Act be formally abolished; therefore—

A licence for marriage shall not be granted under the Foreign Marriage Acts after the commencement of this Act, and section six of the Consular Marriage Act, 1849, and subsection two of section seven of the Marriage Act, 1890, are hereby repealed.

Explanation as to dispensing with residence and notice under 53 & 54 Vict. c. 47. s. 9.

10. Any marriage regulations which dispense for any reason, whether residence out of the district or otherwise, with the requirements of the Foreign Marriage Acts as to residence and notice, may require as a condition or consequence of such dispensation, the production of such notice, certificate, or document, and the taking of such oath, and may authorise the publication or grant of such notice, certificate, or document, and the charge of such fees, as may be prescribed by the marriage regulations; and sections fifteen and sixteen of the Consular Marriage Act, 1849, shall apply as if such notice, certificate, or document were a notice, and such oath were an oath within those sections.

11. In any Act relating to the solemnization of marriages abroad, expressions referring to a British minister shall be construed to include, and to have always included, a British chargé d'affaires, and in this Act the expression "minister" shall be construed in like manner; and the expression "British consular officer" shall include a pro-consul and an acting consular agent.

Meaning of ambassador and consular officer.

12. All marriages solemnized on board one of Her Majesty's vessels on or before the last day of July one thousand eight hundred and ninety-one, shall be deemed to be as valid as they would have been if the Marriage Act, 1890, had not passed.

Confirmation of marriages on board Her Majesty's ships.

CHAPTER 75.

An Act to amend the Law relating to Factories and Workshops. [5th August 1891.]

WHEREAS it is expedient to amend the Factory and Workshop Act, 1878 (herein-after referred to as the principal Act): 41 Vict. c. 16.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sanitary Provisions.

1.—(1.) If the Secretary of State is satisfied that the provisions of the law relating to public health as to effluvia arising from any drain, privy, or other nuisance, or with respect to cleanliness, ventilation, overcrowding, or limewashing are not observed in any workshops or class of workshops (including workshops conducted on the system of not employing any child, young person, or woman therein) or laundries, he may, if he thinks fit, by order, authorise and direct an inspector or inspectors under the principal Act to take, during such period as may be mentioned in the order, such steps as appear necessary or proper for enforcing the said provisions.

Powers of Secretary of State as to sanitary provisions in workshops.

(2.) An inspector authorised in pursuance of this section shall, for the purpose of his duties, have the same powers with respect to workshops and laundries to which this section applies, as he has under the principal Act as amended by this Act with respect to factories, and may for the same purpose take the like proceedings for punishing or remedying any default in compliance with the said provisions of the law relating to public health as might be taken by the sanitary authority of the district in which the workshops or laundries are situate, and shall be entitled to recover from that sanitary authority all such expenses in and about any proceedings in respect of such workshops or laundries as he may incur and are not recovered from any other person, and have not been incurred in any unsuccessful proceedings.

Powers of factory inspector after notice to sanitary authority.

2.—(1.) Section four of the principal Act shall apply to workshops conducted on the system of not employing any child, young person, or woman therein, and to laundries.

(2.) Where notice of an act, neglect, or default is given by an inspector under the said section four, as amended by this Act, to a sanitary authority, and proceedings are not taken within a reasonable time for punishing or remedying the act, neglect, or default, the inspector may take the like proceedings for punishing or remedying the same as the sanitary authority might have taken, and shall be entitled to recover from the sanitary authority all such expenses in and about the proceedings as the inspector incurs and are not recovered from any other person, and have not been incurred in any unsuccessful proceedings.

Enforcement by sanitary authority of sanitary provisions as to workshops. 41 & 42 Vict. c. 16. 54 & 55 Vict. c. 76.

3.—(1.) Sections three and thirty-three of the Factory and Workshop Act, 1878 (which relate to cleanliness, ventilation, and overcrowding in, and limewashing of, factories and workshops), shall cease to apply to workshops.

(2.) For the purpose of their duties with respect to workshops (not being workshops to which the Public Health (London) Act, 1891, applies), a sanitary authority and their officers shall, without prejudice to their other powers, have all such powers of entry, inspection, taking legal proceedings or otherwise, as an inspector under the principal Act.

(3.) If any child, young person, or woman, is employed in a workshop, and the medical officer of the sanitary authority becomes aware thereof, he shall forthwith give written notice thereof to the factory inspector of the district.

Cleanliness and limewashing of workshops. 38 & 39 Vict. c. 55.

4.—(1.) Every workshop as defined by the principal Act (including any workshop conducted on the system of not employing any child, young person, or woman therein), and every workplace within the meaning of the Public Health Act, 1875, shall be kept free from effluvia arising from any drain, water closet, earth closet, privy, urinal, or other nuisance, and unless so kept shall be deemed to be a nuisance liable to be dealt with summarily under the law relating to public health.

(2.) Where on the certificate of a medical officer of health or inspector of nuisances it appears to any sanitary authority that the limewashing, cleansing, or purifying of any such workshop, or of any part thereof, is necessary for the health of the persons employed therein, the sanitary authority shall give notice in writing to the owner or occupier of the workshop to limewash, cleanse, or purify the same or part thereof, as the case may require.

(3.) If the person to whom notice is so given fails to comply therewith within the time therein specified, he shall be liable to a fine not exceeding ten shillings for every day during which he continues to make default, and the sanitary authority may, if they think fit, cause the workshop or part to be limewashed, cleansed, or purified, and may recover in a summary manner the expenses incurred by them in so doing from the person in default.

54 & 55 Vict. c. 76.

(4.) This section shall not apply to any workshop or workplace to which the Public Health (London) Act, 1891, applies.

5. In section three of the principal Act, for the word "privy," shall be substituted the words "water closet, earth closet, privy, urinal," and for the words "injurious to the health of the persons employed therein" shall be substituted the words "dangerous or injurious to the health of the persons employed therein." Amendment of 41 & 42 Vict. c. 16. s. 3, as to sanitary provisions.

Safety.

6.—(1.) The words "near to which any person is liable to pass or to be employed" in sub-section (1) of section five of the principal Act are hereby repealed. Amendment of 41 & 42 Vict. c. 16. s. 5, as to fencing of machinery.

(2.) In sub-section three of the same section before the words "every part" shall be inserted the words "all dangerous parts of the machinery and."

7.—(1.) Every factory of which the construction is commenced after the first day of January one thousand eight hundred and ninety-two, and in which more than forty persons are employed, shall be furnished with a certificate from the sanitary authority of the district in which the factory is situate that the factory is provided on the storeys above the ground floor with such means of escape in case of fire for the persons employed therein as can reasonably be required under the circumstances of each case, and a factory not so furnished shall be deemed not to be kept in conformity with the principal Act, and it shall be the duty of the sanitary authority to examine every such factory, and on being satisfied that the factory is so provided to give such a certificate as aforesaid. Provision against fire.

(2.) With respect to all factories to which the foregoing provisions of this section do not apply, and in which more than forty persons are employed, it shall be the duty of the sanitary authority of every district, as soon as may be after the passing of this Act, and afterwards from time to time, to ascertain whether all such factories within their district are provided with such means of escape as aforesaid, and, in the case of any factory which is not so provided, to serve on the person being within the meaning of the Public Health Act, 1875, the owner of the factory a notice in writing specifying the measures necessary for providing such means of escape as aforesaid, and requiring him to carry out the same before a specified date, and thereupon such owner shall, notwithstanding any agreement with the occupier, have power to take such steps as are necessary for complying with the requirements, and, unless such requirements are so complied with, such owner shall be liable to a fine not exceeding one pound for every day that such non-compliance continues. In case of a difference of opinion between the owner of the factory and the sanitary authority, the difference shall, on the application of either party, be referred to arbitration, and thereupon the provisions of the First Schedule to this Act shall have effect, except that the parties to the arbitration shall be the sanitary authority on the one hand and the owner on the other, and the award on the arbitration shall be binding on the parties thereto. If the owner alleges that the occupier of the factory ought to bear or contribute to the expenses of complying 38 & 39 Vict. c. 75.

with the requirement, he may apply to the county court having jurisdiction where the factory is situate, and thereupon the county court, after hearing the occupier, may make such order as appears to the court just and equitable under all the circumstances of the case.

(3.) All expenses incurred by a sanitary authority in the execution of this section shall be defrayed—

(*a*) in the case of an authority of an urban district, as part of their expenses of the general execution of the Public Health Act, 1875; and

(*b*) in the case of an authority of a rural district, as special expenses incurred in the execution of the Public Health Act, 1875; and such expenses shall be charged to the contributory place in which the factory is situate.

(4.) In the application of this section to the administrative county of London, the London County Council shall take the place of the sanitary authority, and their expenses in the execution of this section shall be defrayed as part of their expenses in the management of the Metropolitan Building Act, 1855, and the Acts amending the same.

18 & 19 Vict. c. 122.

Special Rules and Requirements.

Special rules and requirements as to dangerous and unhealthy incidents of employment.

8.—(1.) Where the Secretary of State certifies that in his opinion any machinery or process or particular description of manual labour used in a factory or workshop (other than a domestic workshop) is dangerous or injurious to health or dangerous to life or limb, either generally or in the case of women, children, or any other class of persons, or that the provision for the admission of fresh air is not sufficient, or that the quantity of dust generated or inhaled in any factory or workshop is dangerous or injurious to health, the chief inspector may serve on the occupier of the factory or workshop a notice in writing, either proposing such special rules or requiring the adoption of such special measures as appear to the chief inspector to be reasonably practicable and to meet the necessities of the case.

(2.) Unless within twenty-one days after receipt of the notice the occupier serves on the chief inspector a notice in writing that he objects to the rules or requirement, the rules shall be established, or, as the case may be, the requirement shall be observed.

(3.) If the notice of objection suggests any modification of the rules or requirement, the Secretary of State shall consider the suggestion and may assent thereto with or without any further modification which may be agreed on between the Secretary of State and the occupier, and thereupon the rules shall be established, or, as the case may be, the requirement shall be observed, subject to such modification.

(4.) If the Secretary of State does not assent to any objection or modification suggested as aforesaid by the occupier, the matter in difference between the Secretary of State and the occupier shall be referred to arbitration under this Act, and the date of the receipt of the notice of objection by the Secretary of State shall be deemed

to be the date of the reference, and the rules shall be established, or the requisition shall have effect, as settled by an award on arbitration.

(5.) Any notice under this section may be served by post.

(6.) With respect to arbitrations under this Act the provisions in the First Schedule to this Act shall have effect.

(7.) No person shall be precluded by any agreement from doing, or be liable under any agreement to any penalty or forfeiture for doing, such acts as may be necessary in order to comply with the provisions of this section.

Penalty for contravention of special rules or requirement.

9.—(1.) If any person who is bound to observe any special rules established for any factory or workshop under this Act acts in contravention of, or fails to comply with, any such special rule, he shall be liable on summary conviction to a fine not exceeding two pounds; and the occupier of the factory or workshop shall also be liable on summary conviction to a fine not exceeding ten pounds, unless he proves that he had taken all reasonable means, by publishing, and to the best of his power enforcing, the rules to prevent the contravention or noncompliance.

(2.) A factory or workshop in which there is a contravention of any requirement made under this Act shall be deemed not to be kept in conformity with the principal Act.

Amendment of special rules.

10.—(1.) After special rules are established under this Act in any factory or workshop, the Secretary of State may from time to time propose to the occupier of the factory or workshop any amendment of the rules or any new rules; and the provisions of this Act with respect to the original rules shall apply to all such amendments and new rules in like manner, as nearly as may be, as they apply to the original rules.

(2.) The occupier of any factory or workshop in which special rules are established may from time to time propose in writing to the chief inspector, with the approval of the Secretary of State, any amendment of the rules or any new rules, and the provisions of this Act with respect to a suggestion of an occupier for modifying the special rules proposed by a chief inspector shall apply to all such amendments and new rules in like manner, as nearly as may be, as they apply to such a suggestion.

Publication of special rules.

11.—(1.) Printed copies of all special rules for the time being in force under this Act in any factory or workshop shall be kept posted up in legible characters in conspicuous places in the factory or workshop where they may be conveniently read by the persons employed. In a factory or workshop in Wales or Monmouthshire the rules shall be posted up in the Welsh language also.

(2.) A printed copy of all such rules shall be given by the occupier to any person affected thereby on his or her application.

(3.) If the occupier of any factory or workshop fails to comply with any provision of this section, he shall be liable on summary conviction to a fine not exceeding ten pounds.

(4.) Every person who pulls down, injures, or defaces any special rules when posted up in pursuance of this Act, or any notice posted

up in pursuance of the special rules, shall be liable on summary conviction to a fine not exceeding five pounds.

Certified copies of special rules to be evidence.

12. An inspector shall, when required, certify a copy which is shown to his satisfaction to be a true copy of any special rules for the time being established under this Act for any factory or workshop, and a copy so certified shall be evidence (but not to the exclusion of other proof) of those special rules, and of the fact that they are duly established under this Act.

Period of Employment.

Period of employment for women.

13.—(1.) For subsection (2) of section fifteen of the principal Act the following subsection shall be substituted, namely :—

(2.) In a workshop which is conducted on the system of not employing therein either children or young persons, and the occupier of which has served on an inspector notice of his intention to conduct his workshop on that system—

(*a.*) The period of employment for a woman shall, except on Saturday, be a specified period of twelve hours taken between six o'clock in the morning and ten o'clock in the evening, and shall on Saturday be a specified period of eight hours, taken between six o'clock in the morning and four o'clock in the afternoon; and

(*b.*) There shall be allowed to a woman for meals and absence from work during the period of employment, a specified period not less, except on Saturday, than one hour and a half, and on Saturday than half an hour.

Notice as to overtime.

14.—(1.) The report required by section sixty-six of the principal Act respecting the employment of a child, young person, or woman in pursuance of an exception relating to employment overtime, must be sent to an inspector not later than eight o'clock in the evening on which the child, young person, or woman is employed in pursuance of the exception.

(2.) Where, under the said section sixty-six, the occupier of a factory or workshop is required to make an entry and report respecting the employment overtime of a child, young person, or woman in the factory or workshop, he shall cause a notice containing the prescribed particulars respecting the employment to be kept affixed in the factory or workshop during the prescribed time, and in default of so doing shall be liable, on summary conviction, to a fine not exceeding five pounds.

Period of employment on Saturday for young persons and women not employed more than eight hours.

15. For section eighteen of the principal Act the following section shall be substituted, namely,—

In a non-textile factory or workshop where a young person or woman has not been actually employed for more than eight hours on any day in a week, and notice of such non-employment has been affixed in the factory or workshop and served on the inspector, the period of employment on Saturday in that week for that young person or woman may be from six o'clock in the morning to four

o'clock in the afternoon, with an interval of not less than two hours for meals.

Holidays.

Amendment of 41 & 42 Vict. c. 16. s. 22, as to holidays.

16. For subsection (4) of section twenty-two of the principal Act the following subsection shall be substituted, namely :—

(4.) Cessation from work shall not be deemed to be a half holiday or whole holiday, unless a notice of the half holiday or whole holiday has been affixed in the factory or workshop during the first week in January, and a copy thereof has on the same day been forwarded to the inspector of the district: Provided that any such notice may be changed by a subsequent notice affixed and sent in like manner not less than fourteen days before the holiday or half holiday to which it applies.

Conditions of Employment.

Prohibition of employment of women after child-birth.

17. An occupier of a factory or workshop shall not knowingly allow a woman to be employed therein within four weeks after she has given birth to a child.

Prohibition of employment of children under eleven years of age.

18. On and after the first day of January one thousand eight hundred and ninety-three no child under the age of eleven years shall be employed in a factory or workshop.

Provided always, that any child lawfully employed under the principal Act, or any Act relating to the employment of children, at the time that the provisions of this section come into operation shall be exempt from its provisions.

Report of certifying surgeon.

19. Every certifying surgeon acting under this or the principal Act shall in each year make at the prescribed time a report in the prescribed form to the Secretary of State as to the persons inspected during the year, and the results of the inspection.

Certificate of birth in case of children and young persons under 16.

20. Where the age of any child or young person under the age of sixteen years is required to be ascertained or proved for the purposes of this Act, or for any purpose connected with the elementary education or employment in labour of such child or young person, any person shall, on presenting a written requisition, in such form, and containing such particulars as may be from time to time prescribed by the Local Government Board, and on payment of a fee of sixpence, be entitled to obtain a certified copy under the hand of a registrar or superintendent registrar of the entry in the register, under the Births and Deaths Registration Acts, 1836 to 1874, of the birth of that child or young person; and such form of requisition shall on request be supplied without charge by every superintendent registrar and registrar of births, deaths, and marriages.

Amendment of 41 & 42 Vict. c. 16. s. 61, as to exemption of certain workshops.

21. There shall be repealed so much of section sixty-one of the principal Act as enacts that the provisions therein mentioned shall not apply to a workshop which is conducted on the system of not employing children or young persons therein, and the occupier of which has served on an inspector notice of his intention to conduct his workshop on that system.

Miscellaneous.

Amendment of 41 & 42 Vict. c. 16. s. 31, as to notice of accidents.

22.—(1.) In section thirty-one of the principal Act for the words "and is of such a nature as to prevent the person injured by it "from returning to his work in the factory or workshop within "forty-eight hours after the occurrence of the accident" shall be substituted the words "and is of such a nature as to prevent the "person injured by it from returning to his work in the factory or "workshop and doing five hours work on any day during the "next three days after the occurrence of the accident."

(2.) The notice required under that section shall, where the person killed or injured is not removed to his own residence, state both his residence and the place to which he has been removed.

(3.) Where a death has occurred by accident in any factory or workshop, the coroner shall forthwith advise the district inspector under this Act of the time and place of the holding of the inquest, and at such inquest any relative of any person whose death may have been caused by the accident with respect to which the inquest is being held, and any inspector under the principal Act, and the occupier of the factory or workshop in which the accident occurred, and any person appointed by the order in writing of the majority of the workpeople employed in the said factory or workshop shall be at liberty to attend and examine any witness either in person or by his counsel, solicitor, or agent, subject nevertheless to the order of the coroner.

Inspectors in Wales and Monmouthshire.

23. In the appointment of inspectors of factories in Wales and Monmouthshire, among candidates otherwise equally qualified, persons having a knowledge of the Welsh language shall be preferred.

Particulars to be supplied in case of payment by piece.

24. Every person who is engaged as a weaver in the cotton, worsted, or woollen, or linen or jute trade, or as a winder, weaver, or reeler in the cotton trade, and is paid by the piece, in or in connexion with any factory or workshop, shall have supplied to him with his work sufficient particulars to enable him to ascertain the rate of wages at which he is entitled to be paid for the work, and the occupier of the factory or workshop shall supply him with such particulars accordingly.

If the occupier of any factory or workshop fails to supply such particulars then, unless he proves that he has given the best information in his power with respect to such particulars, he shall be liable for each offence to a fine not exceeding ten pounds, and in the case of a second or subsequent conviction for the same offence within two years from the last conviction for that offence not less than one pound.

Provided always, that in the event of anyone who is engaged as an operative in any factory or workshop receiving such particulars, and subsequently disclosing the same with a fraudulent object or for the purpose of gain, whether they be furnished directly to him or to a fellow workman, he shall be liable for each offence to a fine not exceeding ten pounds.

Provided also, that anyone who shall solicit or procure a person so engaged in any factory to disclose such particulars with the object or purpose aforesaid, or shall pay or reward such person, or shall cause such person to be paid or rewarded, for so disclosing such particulars, shall be guilty of an offence, and shall be liable for each offence to a fine not exceeding ten pounds.

Powers of entry.

25. The powers of entry conferred by section sixty-eight of the principal Act on an inspector under that Act may be exercised without the authority or warrant required in certain cases by section sixty-nine of that Act.

Notice of opening workshop.

26.—(1.) Section seventy-five of the principal Act (which requires notice to be given of the occupation of a factory) shall apply to a workshop (including any workshop conducted on the system of not employing any child, young person, or woman therein) in like manner as it applies to a factory.

(2.) Where an inspector receives notice in pursuance of this section with respect to a workshop, he shall forthwith forward the notice to the sanitary authority of the district in which the workshop is situate.

Lists of outworkers.

27.—(1.) The occupier of every factory and workshop (including any workshop conducted on the system of not employing any child, young person, or woman therein) and every contractor employed by any such occupier in the business of the factory or workshop shall, if so required by the Secretary of State by an Order made in accordance with section sixty-five of the principal Act, and subject to any exceptions mentioned in the Order, keep in the prescribed form and with the prescribed particulars lists showing the names of all persons directly employed by him, either as workman or as contractor, in the business of the factory or workshop, outside the factory or workshop, and the places where they are employed, and every such list shall be open to inspection by any inspector under the principal Act or by any officer of a sanitary authority.

(2.) In the event of a contravention of this section by the occupier of a factory or workshop, or by a contractor, the occupier or contractor shall be liable to a fine not exceeding forty shillings.

Minimum penalties in certain cases.

28. The fine imposed on a conviction under sections sixty-eight, eighty-one, eighty-two, or eighty-three of the principal Act, for any offence in relation to a factory, shall, in case of a second or subsequent conviction for the same offence within two years from the last conviction for that offence, be not less than one pound for each offence.

Limitation of time for summary proceedings.

29. In summary proceedings for offences and fines under the principal Act as amended by any subsequent Act, an information may be laid within three months after the date at which the offence comes to the knowledge of a factory inspector, or in case of an inquest being held in relation to the offence, then within two months after the conclusion of the inquest, so, however, that it shall not be laid after the expiration of six months from the commission of the offence.

Amendment of 41 & 42 Vict. c. 16. s. 92.

30. Section ninety-two of the principal Act shall apply to a workshop in like manner as it applies to a factory.

Amendment of 41 & 42 Vict. c. 16. s. 93.

31. In section ninety-three of the principal Act for the words "a place solely used as a dwelling shall not be deemed to form "part of the factory or workshop for the purposes of this Act," shall be substituted the words "a room solely used for the purpose "of sleeping therein shall not be deemed to form part of the "factory or workshop for the purposes of this Act."

Saving for persons employed in process of cleaning fruit.

32. Nothing in the principal Act as amended by this Act shall apply to the process of cleaning and preparing fruit so far as is necessary to prevent the spoiling of the fruit on its arrival at a factory or workshop during the months of June, July, August, and September.

Application to Scotland.

33. In the application of this Act to Scotland, the following modifications shall be made, namely,—

(1.) The expression "Births and Deaths Registration Acts, 1836 to 1874," shall mean the Acts relating to the registration of births, deaths, and marriages in Scotland:

(2.) The expression "Public Health Act, 1875," where it occurs in section seven of this Act shall mean the Public Health (Scotland) Act, 1867, and the Acts amending the same: 30 & 31 Vict. c. 101.

(3.) The Board of Supervision shall be substituted for the Local Government Board:

(4.) In lieu of Christmas Day, and either Good Friday or the next public holiday under the Holidays Extension Act, 1875, there shall be allowed as a holiday to every child, young person, and woman employed in a factory or workshop within a burgh or police burgh, the two days in each year set apart by the Church of Scotland for the observance of the sacramental fast in the parish in which the factory or workshop is situate, and in such burghs or police burghs where such fast days have been abolished or discontinued there shall be allowed as a holiday to every child, young person, and woman employed in a factory or workshop in such burghs or police burghs such two whole days in each year, separated by an interval of not less than three months, as shall be fixed by the magistrates or police commissioners in such burghs or police burghs, and such magistrates or police commissioners, as the case may be, are hereby required to fix, and from time to time, if it shall seem expedient to them to do so, to alter such holidays, and give public notice thereof fourteen days before the date at any time fixed. 38 & 39 Vict. c. 13.

(5.) Where a death has occurred by accident in any factory or workshop a public inquiry in open court shall be held by the sheriff, upon the petition of any party interested, and the sheriff shall forthwith advise the district inspector under this Act of the time and place of the holding of the inquiry, and at such inquiry any relative of any person whose death has been caused by the accident with respect to which the inquiry is being held, and the occupier or manager of the factory or workshop in which the accident occurred, and any person appointed by the order in writing of the majority of the

workpeople employed in the said factory or workshop, shall be at liberty to attend and examine any witness, either in person, or by his counsel, solicitor, or agent, subject nevertheless to the order of the sheriff.

Amendment of 41 Vict. c. 16. s. 106, as to holidays in Ireland.

34. For subsection (2) of section one hundred and six of the principal Act, the following subsection shall be substituted :—

(2.) In lieu of any two half-holidays allowed under the provisions of subsection (2) of section twenty-two of this Act, there shall be allowed as a holiday to every child, young person, and woman employed in a factory or workshop the whole of the seventeenth day of March, when that day does not fall on a Sunday, or at the option of the occupier of the factory or workshop, either Good Friday (unless that day is otherwise fixed as a holiday) or Easter Tuesday.

Amendment of 41 & 42 Vict. c. 16. s. 104.

35. The fee to be charged in pursuance of section one hundred and four of the principal Act shall not exceed sixpence, and that section shall apply in the case of a young person under the age of sixteen years in like manner as it applies in the case of a child.

Amendment of 46 & 47 Vict. c. 53. s. 18.

36. The expression "retail bakehouse" in the Factory and Workshops Act, 1883, shall not include any place which is a factory within the meaning of the principal Act.

Definitions of "machinery" and "domestic workshop."

37.—(1.) For the purposes of the principal Act and this Act the expression "machinery" shall include any driving strap or band, and the expression "process" shall include the use of any locomotive.

(2.) In this Act the expression "domestic workshop" means a workshop to which section sixteen of the principal Act applies.

Amendment of 41 & 42 Vict. c. 16, Sch. IV.

38. There shall be added in line three, subsection (3), of the Fourth Schedule of the principal Act, after "earthenware," the words "or china."

Repeal.

39. The enactments specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

Provided that any special rules or requirements made under any enactment repealed by this Act shall continue to have effect as if made under this Act, and the provisions of this Act shall apply thereto accordingly.

Commencement of Act.

40. This Act shall, except where it is otherwise expressed, come into operation on the first day of January one thousand eight hundred and ninety-two.

Short title and construction. 41 & 42 Vict. c. 16. 46 & 47 Vict. c. 53. 52 & 53 Vict c. 62.

41.—(1.) This Act may be cited as the Factory and Workshop Act, 1891, and shall be construed as one with the Factory and Workshop Act, 1878.

(2.) The Factory and Workshop Act, 1878, the Factory and Workshop Act, 1883, and the Cotton Cloth Factories Act, 1889, may, together with this Act, be cited collectively as the Factory and Workshops Acts, 1878 to 1891.

SCHEDULES.

Sections 7, 8.

FIRST SCHEDULE.

1. The parties to the arbitration are in this schedule deemed to be the occupiers of the factory or workshop on the one hand and the chief inspector, on behalf of the Secretary of State, on the other.

2. Each of the parties to the arbitration may, within fourteen days after the date of the reference, appoint an arbitrator.

3. No person shall act as arbitrator or umpire under this Act who is employed in, or in the management of, or is interested in, the factory or workshop to which the arbitration relates.

4. The appointment of an arbitrator under this section shall be in writing, and notice of the appointment shall be forthwith sent to the other party to the arbitration, and shall not be revoked without the consent of that party.

5. The death or removal of, or other change in, any of the parties to the arbitration shall not affect the proceedings under this schedule.

6. If within the said fourteen days either of the parties fails to appoint an arbitrator, the arbitrator appointed by the other party may proceed to hear and determine the matter in difference, and in that case the award of the single arbitrator shall be final.

7. If before an award has been made any arbitrator appointed by either party dies or becomes incapable to act, or for seven days refuses or neglects to act, the party by whom that arbitrator was appointed may appoint some other person to act in his place; and if he fails to do so within seven days after notice in writing from the other party for that purpose, the remaining arbitrator may proceed to hear and determine the matter in difference, and in that case the award of the single arbitrator shall be final.

8. In either of the foregoing cases where an arbitrator is empowered to act singly, on one of the parties failing to appoint, the party so failing may, before the single arbitrator has actually proceeded in the arbitration, appoint an arbitrator, who shall then act as if no failure had occurred.

9. If the arbitrators fail to make their award within twenty-one days after the day on which the last of them was appointed, or within such extended time (if any) as may have been appointed for that purpose by both arbitrators under their hands, the matter in difference shall be determined by the umpire appointed as herein-after mentioned.

10. The arbitrators, before they enter on the matter referred to them, shall appoint by writing under their hands an umpire to decide on points on which they may differ.

11. If the umpire dies or becomes incapable of acting before he has made his award, or refuses to make his award within a reasonable time after the matter has been brought within his cognizance, the persons or person who appointed such umpire shall forthwith appoint another umpire in his place.

12. If the arbitrators refuse or fail, or for seven days after the request of either party neglect, to appoint an umpire, then on the application of either party an umpire may be appointed by the chairman of the quarter sessions within the jurisdiction of which the factory or workshop is situate.

13. The decision of every umpire on the matters referred to him shall be final.

14. If a single arbitrator fails to make his award within twenty-one days after the day on which he was appointed, the party who appointed him may appoint another arbitrator to act in his place.

15. Arrangements shall, whenever practicable, be made for the matters in difference being heard at the same time before the arbitrators and the umpire.

16. The arbitrators and the umpire, or any of them, may examine the parties and their witnesses on oath, and may also consult any counsel, engineer, or scientific person whom they may think it expedient to consult.

17. The payment, if any, to be made to any arbitrator or umpire for his services shall be fixed by the Secretary of State and together with the costs of the arbitration and award shall be paid by the parties, or one of them, according as the award may direct. Such costs may be taxed by a master of the Supreme Court, or, in Scotland, by the auditor of the Court of Session, and the taxing officer shall, on the written application of either of the parties, ascertain and certify the proper amount thereof. The amount, if any, payable by the Secretary of State shall be paid as part of the expenses of inspectors under the principal Act. The amount, if any, payable by the occupier of the factory or workshop may in the event of nonpayment be recovered in the same manner as fines under the principal Act.

SECOND SCHEDULE.

Section 39.

Enactments Repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
41 & 42 Vict. c. 16.	The Factory and Workshop Act, 1878.	In section three, the words "and a workshop" and "or workshop" wherever they occur. In section five, subsection (1), the words "near to which "any person is liable to "pass or to be employed." Sections six, seven, and eight. Section fifteen, from "and" at the end of subsection (1) to the end of the section. In section twenty-two, subsection (4). In section thirty-one the words "and is of such a "nature as to prevent the "person injured by it from "returning to his work in "the factory or workshop "within forty-eight hours "after the occurrence of "the accident." In section thirty-three the words "and workshop," "or workshop," and "or workshops," wherever they respectively occur. Section sixty-one, from "or" at the end of the paragraph marked (*a*) to the words "workshop on that system."

Session and Chapter.	Title or Short Title.	Extent of Repeal.
41 & 42 Vict. c. 16. —*cont.*		Section sixty-nine. Section ninety-one, from "(1.) The information shall "be laid" to "commission "of the offence." In section one hundred and one, the words "or work- "shop."
46 & 47 Vict. c. 53.	The Factory and Workshop Act, 1883.	Sections seven to twelve and subsections (2) and (3) of section seventeen.
51 & 52 Vict. c. 22.	The Factory and Workshop Amendment (Scotland) Act, 1888.	The whole Act.
52 & 53 Vict. c. 62.	The Cotton Cloth Factories Act, 1889.	Section twelve.

CHAPTER 76.

An Act to consolidate and amend the Laws relating to Public Health in London. [5th August 1891.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sanitary authority to inspect district for detection of nuisances.

1. It shall be the duty of every sanitary authority to cause to be made from time to time inspection of their district, with a view to ascertain what nuisances exist calling for abatement under the powers of this Act, and to enforce the provisions of this Act for the purpose of abating the same, and otherwise to put in force the powers vested in them relating to public health and local government, so as to secure the proper sanitary condition of all premises within their district.

Nuisances (General).

Nuisances (General).

What nuisances may be abated summarily.

2.—(1.) For the purposes of this Act,—

(*a.*) Any premises in such a state as to be a nuisance or injurious or dangerous to health;

Nuisances (General).

(*b.*) Any pool, ditch, gutter, watercourse, cistern, watercloset, earth closet, privy, urinal, cesspool, drain, dung-pit, or ashpit so foul or in such a state as to be a nuisance or injurious or dangerous to health;

(*c.*) Any animal kept in such place or manner as to be a nuisance or injurious or dangerous to health;

(*d.*) Any accumulation or deposit which is a nuisance or injurious or dangerous to health;

(*e.*) Any house or part of a house so overcrowded as to be injurious or dangerous to the health of the inmates, whether or not members of the same family;

(*f.*) Any such absence from premises of water fittings as is a nuisance by virtue of section thirty-three of the Metropolis Water Act, 1871, set out in the First Schedule to this Act; and 34 & 35 Vict. c. 113.

(*g.*) Any factory, workshop, or workplace which is not a factory subject to the provisions of the Factory and Workshop Act, 1878, relating to cleanliness, ventilation, and overcrowding, and 41 & 42 Vict. c. 16.

(i.) is not kept in a cleanly state and free from effluvia arising from any drain, privy, earth closet, watercloset, urinal, or other nuisance, or

(ii.) is not ventilated in such a manner as to render harmless as far as practicable any gases, vapours, dust, or other impurities generated in the course of the work carried on therein that are a nuisance or injurious or dangerous to health, or

(iii.) is so overcrowded while work is carried on as to be injurious or dangerous to the health of those employed therein,

shall be nuisances liable to be dealt with summarily under this Act.

(2.) Provided that—

(i.) Any accumulation or deposit necessary for the effectual carrying on of any business or manufacture shall not be punishable as a nuisance under this section, if it is proved to the satisfaction of the court that the accumulation or deposit has not been kept longer than is necessary for the purposes of the business or manufacture, and that the best available means have been taken for preventing injury thereby to the public health; and

(ii.) In considering whether any dwelling-house or part of a dwelling-house which is used also as a factory, workshop, or workplace, or whether any factory, workshop, or workplace used also as a dwelling-house, is a nuisance by reason of overcrowding, the court shall have regard to the circumstance of such other user.

Information of nuisances to sanitary authority.

3. Information of a nuisance liable to be dealt with summarily under this Act in the district of a sanitary authority

Nuisances (General).

may be given to that authority by any person, and it shall be the duty of every officer of that authority and of every relieving officer, in accordance with the regulations of the authority having control over him, to give that information; and it shall be the duty of the said authority to make the said regulations, and also the duty of the sanitary authority to give such directions to their officers as will secure the existence of the nuisance being immediately brought to the notice of any person who may be required to abate it, and the officer shall do so by serving a written intimation.

Notice requiring abatement of nuisance.

4.—(1.) On the receipt of any information respecting the existence of a nuisance liable to be dealt with summarily under this Act the sanitary authority shall, if satisfied of the existence of a nuisance, serve a notice on the person by whose act, default, or sufferance the nuisance arises or continues, or, if such person cannot be found, on the occupier or owner of the premises on which the nuisance arises, requiring him to abate the same within the time specified in the notice, and to execute such works and do such things as may be necessary for that purpose, and, if the sanitary authority think it desirable (but not otherwise) specifying any works to be executed.

(2.) The sanitary authority may also by the same or another notice served on such occupier, owner, or person require him to do what is necessary for preventing the recurrence of the nuisance, and, if they think it desirable, specify any works to be executed for that purpose, and may serve that notice notwithstanding that the nuisance may for the time have been abated, if the sanitary authority consider that it is likely to recur on the same premises.

(3.) Provided that—

(*a*.) where the nuisance arises from any want or defect of a structural character, or where the premises are unoccupied, the notice shall be served on the owner;

(*b*.) where the person causing the nuisance cannot be found, and it is clear that the nuisance does not arise or continue by the act, default, or sufferance of the occupier or owner of the premises, the sanitary authority may themselves abate the same and may do what is necessary to prevent the recurrence thereof:

(*c*.) where the medical officer of health certifies to the sanitary authority that any house or part of a house in their district is so overcrowded as to be injurious or dangerous to the health of the inmates, whether or not members of the same family, the sanitary authority shall take proceedings under this section for the abatement of such nuisance:

(*d*.) where the nuisance is such absence of water-fittings as is declared a nuisance by section thirty-three of the Metropolis Water Act, 1871 (set out in the First Schedule to this Act), such absence shall be deemed to render the premises unfit for human habitation unless and until the contrary is shown to the satisfaction of the court.

34 & 35 Vict. c. 113.

Nuisances (General).

(4.) Where a notice has been served on a person under this section, and either—

(*a.*) the nuisance arose from the wilful act or default of the said person; or

(*b.*) such person makes default in complying with any of the requisitions of the notice within the time specified,

he shall be liable to a fine not exceeding ten pounds for each offence, whether any such nuisance order as in this Act mentioned is or is not made upon him.

On non-compliance with notice, order to be made.

5.—(1.) If either—

(*a.*) the person on whom a notice to abate a nuisance has been served as aforesaid makes default in complying with any of the requisitions thereof within the time specified; or

(*b.*) the nuisance, although abated since the service of the notice, is, in the opinion of the sanitary authority, likely to recur on the same premises,

the sanitary authority shall make a complaint, and the petty sessional court hearing the complaint may make on such person a summary order (in this Act referred to as a nuisance order).

(2.) A nuisance order may be an abatement order, a prohibition order, or a closing order, or a combination of such orders.

(3.) An abatement order may require a person to comply with all or any of the requisitions of the notice, or otherwise to abate the nuisance within a time specified in the order.

(4.) A prohibition order may prohibit the recurrence of a nuisance.

(5.) An abatement order or prohibition order shall, if the person on whom the order is made so requires, or the court considers it desirable, specify the works to be executed by such person for the purpose of abating or preventing the recurrence of the nuisance.

(6.) A closing order may prohibit a dwelling-house from being used for human habitation.

(7.) A closing order shall only be made where it is proved to the satisfaction of the court that by reason of a nuisance a dwelling-house is unfit for human habitation, and if such proof is given the court shall make a closing order, and may impose a fine not exceeding twenty pounds.

(8.) A petty sessional court, when satisfied that the dwelling-house has been rendered fit for human habitation, may declare that it is so satisfied and cancel the closing order.

(9.) If a person fails to comply with the provisions of a nuisance order with respect to the abatement of a nuisance, he shall, unless he satisfies the court that he has used all due diligence to carry out such order, be liable to a fine not exceeding twenty shillings a day during his default; and if a person knowingly and wilfully acts contrary to a prohibition or closing order he shall be liable to a fine not exceeding forty shillings a day during such contrary action;

Nuisances (General).

moreover the sanitary authority may enter the premises to which a nuisance order relates, and abate or remove the nuisance, and do whatever may be necessary in execution of such order.

Provision as to appeal against order.

6.—(1.) Where a person appeals to the court of quarter sessions against a nuisance order, no liability to a fine shall arise, nor, save as in this section mentioned, shall any proceedings be taken or work done under such order until after the determination or abandonment of such appeal.

(2.) There shall be no appeal to quarter sessions against a nuisance order, unless it is or includes a prohibition or closing order, or requires the execution of structural works.

(3.) Where a nuisance order is made and a person does not comply with it and appeals against it to the court of quarter sessions, and such appeal is dismissed or is abandoned, the appellant shall be liable to a fine not exceeding twenty shillings a day during the non-compliance with the order, unless he satisfies the court before whom proceedings are taken for imposing a fine that there was substantial ground for the appeal, and that the appeal was not brought merely for the purpose of delay, and where the appeal is heard by the court of quarter sessions, that court may, on dismissing the appeal, impose the fine as if the court were a petty sessional court.

(4.) Where a nuisance order is made on any person and appealed against, and the court which made the order is of opinion that the continuance of the nuisance will be injurious or dangerous to health, and that the immediate abatement thereof will not cause any injury which cannot be compensated by damages, the court may authorise the sanitary authority immediately to abate the nuisance; but the sanitary authority, if they do so, and the appeal is successful, shall pay the cost of such abatement and the damages (if any) sustained by the said person by reason of such abatement; but, if the appeal is dismissed or abandoned, the sanitary authority may recover the cost of the abatement in a summary manner from the said person.

Provision in case of two convictions for overcrowding.

7. Where two convictions for offences relating to the overcrowding of a house or part of a house in any district have taken place within a period of three months (whether the persons convicted were or were not the same), a petty sessional court may, on the application of the sanitary authority, order the house to be closed for such period as the court may deem necessary.

In certain cases order may be addressed to sanitary authority.

8. Whenever it appears to the satisfaction of the petty sessional court that the person by whose act, default, or sufferance, a nuisance liable to be dealt with summarily under this Act arises or the owner or occupier of the premises is not known or cannot be found, then the nuisance order may be addressed to, and if so addressed shall be executed by, the sanitary authority.

Power to sell manure, &c.

9. Any matter or thing removed by the sanitary authority in abating, or doing what is necessary to prevent the recurrence of, a

nuisance liable to be dealt with summarily under this Act may be sold by public auction or, if the authority think the circumstances of the case require it, may be sold otherwise, or be disposed of without sale; and the money arising from the sale may be retained by the sanitary authority, and applied in payment of the expenses incurred by them with reference to such nuisance, and the surplus (if any) shall be paid, on demand, to the owner of such matter or thing. *Nuisances (General).*

10. The sanitary authority shall have a right to enter from time to time any premises— Power of entry.

(*a*) for the purpose of examining as to the existence thereon of any nuisance liable to be dealt with summarily under this Act, at any hour by day, or in the case of a nuisance arising in respect of any business, then at any hour when that business is in progress or is usually carried on, and

(*b*) where under this Act a nuisance has been ascertained to exist, or a nuisance order has been made, then at any such hour as aforesaid, until the nuisance is abated, or the works ordered to be done are completed, or the closing order is cancelled, as the case may be, and

(*c*) where a nuisance order has not been complied with, or has been infringed, at all reasonable hours, including all hours during which business therein is in progress or is usually carried on, for the purpose of executing the order.

11.—(1.) All reasonable costs and expenses incurred in serving notice, making a complaint, or obtaining a nuisance order, or in carrying the order into effect, shall be deemed to be money paid for the use and at the request of the person on whom the order is made; or if the order is made on the sanitary authority, or, if no order is made, but the nuisance is proved to have existed when the notice was served or the complaint made, then of the person by whose act, default, or sufferance, the nuisance was caused; and in case of nuisances caused by the act or default of the owner of premises, such costs and expenses may be recovered from any person who is for the time being owner of such premises. Costs of execution of provisions relating to nuisances.

(2.) Such costs and expenses, and any fines incurred in relation to any such nuisance, may be recovered in a summary manner or in the county court or High Court, and the court shall have power to divide costs, expenses, and fines between persons by whose acts, defaults, or sufferance a nuisance is caused, as to it may seem just.

12.—(1.) Complaint of the existence of a nuisance liable to be dealt with summarily under this Act on any premises within the district of any sanitary authority may be made by any person, and thereupon the like proceedings shall be had with the like incidents and consequences as to making of orders, fines for disobedience of orders, appeal, and otherwise, as in the case of a like complaint by the sanitary authority. Power of individual to complain to justice of nuisance.

Nuisances (General).

(2.) Provided that the court may, if it thinks fit,—

(*a.*) adjourn the hearing or further hearing of the complaint for the purpose of having an examination of the premises where the nuisance is alleged to exist, and may authorise the entry into such premises of any constable or other person for that purpose; and

(*b.*) authorise any constable or other person to do all necessary acts for executing an order made on a complaint under this section, and to recover the expenses from the person on whom the order is made in a summary manner.

(3.) Any constable or other person authorised under this section shall have the like powers, and be subject to the like restrictions as if he were an officer of the sanitary authority authorised under the foregoing provisions of this Act to enter any premises and do any acts thereon.

Proceedings in High Court for abatement of nuisances.

13. The sanitary authority may, if in their opinion summary proceedings would afford an inadequate remedy, cause any proceedings to be taken against any person in the High Court to enforce the abatement or prohibition of any nuisance liable to be dealt with summarily under this Act, or for the recovery of any fines from, or for the punishment of, any persons offending against the provisions of this Act relating to such nuisances, and may pay as expenses of the execution of this Act their expenses of and incident to all such proceedings.

Power to proceed where cause of nuisance arises without district.

14.—(1.) Where a nuisance liable to be dealt with summarily under this Act appears to be wholly or partially caused by some act, default, or sufferance committed or taking place without the district the inhabitants of which are affected by the nuisance, the sanitary authority for that district may take or cause to be taken against any person in respect of such act, default, or sufferance any proceedings in relation to nuisances by this Act authorised, with the same incidents and consequences as if such act, default, or sufferance were committed or took place wholly within their district; so, however, that summary proceedings shall in no case be taken otherwise than before a court having jurisdiction in the district where the act, default, or sufferance is alleged to be committed or take place.

38 & 39 Vict. c. 55.

(2.) Section one hundred and eight of the Public Health Act, 1875, set out in the First Schedule to this Act, shall continue to extend to London, with the substitution of a sanitary authority under this Act for any nuisance authority mentioned in the said section, and any reference in that section to a nuisance in the metropolis shall include a nuisance within the meaning of this Act.

Penalty for injuring closet, &c. so as to cause a nuisance.

15. If a person causes any drain, watercloset, earth closet, privy, or ashpit to be a nuisance or injurious or dangerous to health by wilfully destroying or damaging the same, or any water-supply, apparatus, pipe, or work connected therewith, or by otherwise wilfully stopping up, or wilfully interfering with, or improperly

using the same, or any such water-supply, apparatus, pipe, or work, he shall be liable to a fine not exceeding five pounds. *Nuisances (General).*

Penalties in respect of particular Nuisances. *Penalties in respect of particular Nuisances.*

16.—(1.) Every sanitary authority shall make byelaws— Byelaws by sanitary authority and county council as to cleansing streets and prevention of nuisances.

(*a.*) for the prevention of nuisances arising from any snow, ice, salt, dust, ashes, rubbish, offal, carrion, fish, or filth, or other matter or thing in any street; and

(*b.*) for preventing nuisances arising from any offensive matter running out of any manufactory, brewery, slaughter-house, knackers' yard, butcher's or fishmonger's shop, or dunghill, into any uncovered place, whether or not surrounded by a wall or fence; and

(*c.*) for the prevention of the keeping of animals on any premises in such place or manner as to be a nuisance or injurious or dangerous to health; and

(*d.*) as to the paving of yards and open spaces in connexion with dwelling-houses.

(2.) The county council shall make bye-laws—

(*a.*) for prescribing the times for the removal or carriage by road or water of any fœcal or offensive or noxious matter or liquid in or through London, and providing that the carriage or vessel used therefor shall be properly constructed and covered so as to prevent the escape of any such matter or liquid, and as to prevent any nuisance arising therefrom; and

(*b.*) as to the closing and filling up of cesspools and privies, and as to the removal and disposal of refuse, and as to the duties of the occupier of any premises in connexion with house refuse, so as to facilitate the removal of it by the scavengers of the sanitary authority.

(3.) It shall be the duty of every sanitary authority to observe and enforce any byelaws made under this section.

(4.) Except as otherwise provided by the byelaws, a constable may arrest without warrant and take before a justice any person whom he finds committing an offence against such byelaws and who refuses to give his true name and address.

(5.) Provided that the byelaws shall not make it an offence to lay sand or other material in any street in time of frost to prevent accidents, or litter or other matter to prevent the freezing of water in pipes, or in case of sickness to prevent noise, if the same is laid, and when the occasion ceases duly removed, in accordance with the byelaws.

17.—(1.) A person shall not— Penalty for keeping swine in unfit place.

(*a.*) feed or keep any swine in any locality, premises, or place which is unfit for the keeping of swine, or in which the feeding

Penalties in respect of particular Nuisances.

or keeping of swine may create a nuisance or be injurious to health, or

(*b.*) permit any swine to stray or go about in any street or public place.

(2.) If any person acts in contravention of this section he shall be liable to a fine not exceeding forty shillings, and to forfeit the swine, and to a further fine not exceeding ten shillings for every day during which he continues such offence after notice from the sanitary authority to discontinue the same.

(3.) Any swine found straying or going about in any street or public place may be seized and removed by any constable.

(4.) Any premises within forty yards of any street or public place shall be deemed for the purposes of this section to be a place unfit for keeping swine.

Power to prohibit keeping of animals in unfit place.

18. Where it is proved to the satisfaction of a petty sessional court that any locality, premises, or place are or is unfit for the keeping of any animal, the court may by summary order prohibit the using thereof for that purpose for the future.

Offensive Trades.

Offensive Trades.

Prohibition and regulation of establishing anew certain offensive businesses, and byelaws as to offensive businesses.

19.—(1.) If any person—

(*a.*) establishes anew the following businesses, or any of them; that is to say, the business of blood boiler, bone boiler, manure manufacturer, soap boiler, tallow melter, or knacker; or

(*b.*) establishes anew, without the sanction of the county council, the following businesses, or any of them; that is to say, the business of fellmonger, tripe boiler, slaughterer of cattle or horses, or any other business which the county council may declare by order confirmed by the Local Government Board and published in the London Gazette to be an offensive business,

he shall be liable to a fine not exceeding fifty pounds in respect of the establishment thereof, and any person carrying on the same when established shall be liable to a fine not exceeding fifty pounds for every day during which he so carries on the same:

(2.) Provided that this enactment shall not render any person liable to a fine for establishing anew with the sanction of the county council, or carrying on, the business of soap boiler, if and as long as that business is a business in which tallow or any animal fat or oil other than olein is not used by admixture with alkali for the production of soap.

(3.) The county council shall give their sanction by order, but, at least fourteen days before making any such order, shall make public the application for it, by serving on the sanitary authority within whose district the premises on which the business is proposed to be

established are situate, and by advertising, notice of the application and of the time and place at which they will be willing to hear all persons objecting to the order, and by causing a copy of the notice to be affixed in a conspicuous part of the said premises; and they shall consider any objections made at that time and place, and shall grant or withhold their sanction as they think expedient. *Offensive Trades.*

(4.) The county council may make byelaws for regulating the conduct of any businesses specified in this section, which are for the time being lawfully carried on in London, and the structure of the premises on which any such business is being carried on, and the mode in which the said application is to be made.

(5.) Any such byelaw may empower a petty sessional court by summary order to deprive any person, either temporarily or permanently, of the right of carrying on any business to which such byelaw relates, as a punishment for breaking the same, and any person disobeying such order shall be liable to a fine not exceeding fifty pounds for every day during which such disobedience continues.

(6.) Any sanitary authority or person aggrieved by any proposed byelaw under this section, or by any proposed alteration or repeal of a byelaw, may forward notice of his objection to the Local Government Board, who shall consider the same.

(7.) There shall be charged for an order of the county council under this section, and carried to the county fund, such fee not exceeding forty shillings as the county council may fix.

(8.) For the purposes of this section a business shall be deemed to be established anew not only if it is established newly, but also if it is removed from any one set of premises to any other premises, or if it is renewed on the same set of premises after having been discontinued for a period of nine months or upwards, or if any premises on which it is for the time being carried on are enlarged without the sanction of the county council; but a business shall not be deemed to be established anew on any premises by reason only that the ownership of such premises is wholly or partially changed, or that the building in which it is established having been wholly or partially pulled down or burnt down has been reconstructed without any extension of its area.

(9.) Nothing in this section shall render an order of the county council necessary to authorise the slaughter of cattle at the Metropolitan Cattle Market, or at the cattle market at Deptford, or shall authorise the making of byelaws affecting either of those markets or the slaughter-houses erected thereat either before or after the commencement of this Act.

(10.) In the application of this section to the City of London, the commissioners of sewers shall be substituted for the county council, and the consolidated rate for the county fund.

20.—(1.) A person carrying on the business of a slaughterer of cattle or horses, knacker, or dairyman, shall not use any premises Licensing of cow-houses and slaughter-houses.

Offensive Trades.

in London (outside the City of London) as a slaughter-house, or knacker's yard, or a cow-house or place for the keeping of cows, without a licence from the county council, and if he does he shall for each offence be liable to a fine not exceeding five pounds, and the fact that cattle have been taken into unlicensed premises shall be primâ facie evidence that an offence under this section has been committed.

(2.) A licence under this section shall expire on such day in every year as the county council fix, and when a licence is first granted shall expire on the day so fixed which secondly occurs after the grant of the licence, and a fee not exceeding five shillings to be carried to the county fund may be charged for the licence.

(3.) Not less than fourteen days before a licence for any premises is granted or renewed under this section, notice of the intention to apply for it shall be served on the sanitary authority of the district in which the premises are situate, and that sanitary authority, if they think fit, may show cause against the grant or renewal of the licence.

(4.) An objection shall not be entertained to the renewal of a licence under this section, unless seven days previous notice of the objection has been served on the applicant, save that, on an objection being made of which notice has not been given, the county council may, if they think it just so to do, direct notice thereof to be served on the applicant, and adjourn the question of the renewal to a future day, and require the attendance of the applicant on that day, and then hear the case, and consider the objection, as if the said notice had been duly given.

(5.) Where a committee of the county council determine to refuse, or to recommend the council to refuse, the renewal of any licence under this section, the county council shall, on written application made within seven days after such determination is made known to the applicant, hear the applicant against such refusal.

(6.) For the purposes of this section a licence shall be deemed to be renewed where a further licence is granted in immediate succession to a prior licence for the same premises.

(7.) The sanitary authority shall have a right to enter any slaughter-house or knacker's yard at any hour by day or at any hour when business is in progress or is usually carried on therein, for the purpose of examining whether there is any contravention therein of this Act or of any byelaw made thereunder.

(8.) Nothing in this section shall extend to slaughter-houses erected before or after the commencement of this Act in the Metropolitan Cattle Market under the authority of the Metropolitan Market Act, 1851, or the Metropolitan Market Act, 1857.

Duty of sanitary authority to complain to

21.—(1.) Where any manufactory, building, or premises used for any trade, business, process, or manufacture, causing effluvia, is certified to the sanitary authority by their medical officer of health,

Offensive Trades.

or by any two legally qualified medical practitioners, or by any ten inhabitants of the district of such authority, to be a nuisance or injurious or dangerous to the health of any of the inhabitants of the district, such authority shall make a complaint, and if it appears to the petty sessional court hearing the complaint that the trade, business, process, or manufacture carried on by the person complained of is a nuisance, or causes any effluvia which is a nuisance or injurious or dangerous to the health of any of the inhabitants of the district, then, unless it is shown that such person has used the best practicable means for abating the nuisance, or preventing or counteracting the effluvia, the person so offending (being the owner or occupier of the premises, or being a foreman or other person employed by such owner or occupier) shall be liable to a fine not exceeding fifty pounds.

Justice of nuisance arising from offensive trade.

(2.) Provided that the court may suspend its final determination on condition that the person complained of undertakes to adopt, within a reasonable time, such means as the court may deem practicable, and order to be carried into effect, for abating the nuisance, or mitigating or preventing the injurious effects of the effluvia.

(3.) The sanitary authority may, if they think fit, on such certificate as is in this section mentioned, cause to be taken any proceedings in the High Court against any person in respect of the matters alleged in such certificate.

(4.) The sanitary authority may take proceedings under this section in respect of a manufactory, building, or premises situate without their district, so, however, that the summary proceedings shall be had before a court having jurisdiction in the district where the manufactory, building, or premises are situate.

(5.) Section one hundred and fifteen of the Public Health Act, 1875 (set out in the First Schedule to this Act), shall continue to extend to London, with the substitution of a sanitary authority under this Act for a nuisance authority mentioned in the said section, and any reference in that section to a nuisance in the metropolis or to any building, manufactory, or place in the metropolis which is injurious to health, shall include any nuisance within the meaning of this Act, and any manufactory, building, or place which is dangerous to health. 38 & 39 Vict. c. 55.

Provision as to nuisance created by sanitary authority in dealing with refuse.

22.—(1.) The removal of house refuse and street refuse by a sanitary authority when collected or deposited by that authority shall be deemed to be a business carried on by that authority within the meaning of the last preceding section, and a complaint or proceedings under that section in relation to any such business may be made or taken by the county council in like manner as if the council were a sanitary authority.

(2.) Any premises used by a sanitary authority for the treatment or disposal of any street refuse or house refuse, as distinct from the removal thereof, which are a nuisance or injurious or dangerous to health, shall be a nuisance liable to be dealt with summarily under this Act, and for the purpose of the application thereto of the

Offensive Trades.

provisions of this Act relating to such nuisances the county council shall be deemed to be a sanitary authority.

Smoke Consumption.

Smoke Consumption.

Furnaces and steam vessels to consume their own smoke.

23.—(1.) Every furnace employed in the working of engines by steam, and every furnace employed in any public bath or washhouse, or in any mill, factory, printing house, dyehouse, iron foundry, glasshouse, distillery, brewhouse, sugar refinery, bakehouse, gasworks, waterworks, or other buildings used for the purpose of trade or manufacture (although a steam engine be not used or employed therein), shall be constructed so as to consume or burn the smoke arising from such furnace.

(2.) If any person being the owner or occupier of the premises, or being a foreman or other person employed by such owner or occupier—

(*a*) uses any such furnace which is not constructed so as to consume or burn the smoke arising therefrom; or

(*b*) so negligently uses any such furnace as that the smoke arising therefrom is not effectually consumed or burnt; or

(*c*) carries on any trade or business which occasions any noxious or offensive effluvia, or otherwise annoys the neighbourhood or inhabitants, without using the best practicable means for preventing or counteracting such effluvia or other annoyance;

such person shall be liable to a fine not exceeding five pounds, and on a second conviction to a fine of ten pounds, and on each subsequent conviction to a fine double the amount of the fine imposed on the last preceding conviction.

(3.) Every steam engine and furnace used in the working of any steam vessel on the River Thames, either above London Bridge, or plying to and fro between London Bridge and any place on the River Thames westward of the Nore light, shall be constructed so as to consume or burn the smoke arising from such engine and furnace; and if any such steam engine or furnace is not so constructed, or being so constructed is wilfully or negligently used so that the smoke arising therefrom is not effectually consumed or burnt, the owner or master of such vessel shall be liable to a fine not exceeding five pounds, and on a second conviction to a fine of ten pounds, and on every subsequent conviction to a fine of double the amount of the fine imposed on the last preceding conviction.

(4.) Provided that in this section the words "consume or burn the smoke" shall not be held in all cases to mean "consume or burn all the smoke," and the court hearing an information against a person may remit the fine if of opinion that such person has so constructed his furnace as to consume or burn, as far as possible, all the smoke arising from such furnace, and has carefully attended to the same, and consumed or burned, as far as possible, the smoke arising from such furnace.

Smoke Consumption.

(5.) It shall be the duty of every sanitary authority to enforce the provisions of this section, and an information shall not be laid for the recovery of any fine under this section except under the direction of a sanitary authority.

(6.) The provisions of this Act with respect to the admission of the sanitary authority into any premises for any purposes in relation to nuisances, and with respect to the giving of information of a nuisance, shall apply in like manner as if they were herein re-enacted, and in terms made applicable to this section.

(7.) This section shall extend to the port of London, and as respects the port shall be enforced by the port sanitary authority.

(8.) Nothing in this section shall alter or repeal any of the provisions of the City of London Sewers Act, 1851, or of the Whitechapel Improvement Act, 1853. 14 & 15 Vict. c. 75. 16 & 17 Vict. c. cxli.

24.—

Summary proceedings for abatement of nuisance caused by smoke.

(*a.*) Any fireplace or furnace which does not, as far as practicable, consume the smoke arising from the combustible used therein, and which is used for working engines by steam, or in any mill, factory, dyehouse, brewery, bakehouse, or gaswork, or in any manufacturing or trade process whatsoever; and

(*b.*) Any chimney (not being the chimney of a private dwelling-house) sending forth black smoke in such quantity as to be a nuisance;

shall be nuisances liable to be dealt with summarily under this Act, and the provisions of this Act relating to those nuisances shall apply accordingly:

Provided that the court, hearing a complaint against a person in respect of a nuisance arising from a fireplace or furnace which does not consume the smoke arising from the combustible used in such fireplace or furnace, shall hold that no nuisance is created, and dismiss the complaint, if satisfied that such fireplace or furnace is constructed in such manner as to consume as far as practicable, having regard to the nature of the manufacture or trade, all smoke arising therefrom, and that such fireplace or furnace has been carefully attended to by the person having the charge thereof.

Workshops and Bakehouses.

Workshops and Bakehouses.

Limewashing and washing of workshops.

25.—(1.) Where, on the certificate of a medical officer of health or sanitary inspector, it appears to any sanitary authority that the limewashing, cleansing, or purifying of any workshop (other than a bakehouse), or of any part thereof, is necessary for the health of the persons employed therein, the sanitary authority shall serve notice in writing on the owner or occupier of the workshop to limewash, cleanse, or purify the workshop or part as the case requires, within the time specified in the notice; and, if the person on whom notice is so served fails to comply therewith, he shall be liable to a fine not exceeding five pounds, and to a further fine not exceeding ten shillings for every day during which he continues to make default after conviction; and the sanitary authority may, if they think fit, cause the workshop or part to be limewashed,

Workshops and Bakehouses.

cleansed, or purified, and may recover in a summary manner the expenses incurred by them in so doing from the person on whom the notice was served.

41 & 42 Vict. c. 16.

(2.) This section shall apply to any factory which is not subject to the provisions of the Factory and Workshop Act, 1878, and the Acts amending the same, and to any workplace, in like manner as it applies to a workshop.

Enactments respecting bakehouses. 41 & 42 Vict. c. 16. 46 & 47 Vict. c. 53.

26.—(1.) Sections thirty-four, thirty-five, and eighty-one of the Factory and Workshop Act, 1878, and sections fifteen and sixteen of the Factory and Workshop Act Amendment Act, 1883 (which relate to cleanliness, ventilation, and other sanitary conditions), shall, as respects every bakehouse which is a workshop, be enforced by the sanitary authority of the district in which the bakehouse is situate, and they shall be the local authority within the meaning of those sections.

(2.) For the purposes of this section, the provisions of this Act with respect to the admission of the sanitary authority and their officers into any premises for any purpose in relation to nuisances shall apply in like manner as if they were herein re-enacted and in terms made applicable to this section; and every person refusing or failing to allow the sanitary authority or their officer to enter any premises in pursuance of those provisions for the purposes of this section shall be subject to a fine.

Notice to factory inspector respecting child or woman in workshop.

27. If any child, young person, or woman is employed in a workshop, and the medical officer of the sanitary authority becomes aware thereof, he shall forthwith give written notice thereof to the factory inspector for the district.

Dairies.

Dairies.

Orders and regulations for dairies.

28.—(1.) The Local Government Board may make such general or special orders as they think fit for the following purposes, or any of them, that is to say,—

(*a.*) for the registration with the county council of all persons carrying on the trade of dairymen;

(*b.*) for the inspection of cattle in dairies, and for prescribing and regulating the lighting, ventilation, cleansing, drainage, and water supply of dairies in the occupation of persons carrying on the trade of dairymen;

(*c.*) for securing the cleanliness of milk vessels used for containing milk for sale by such persons;

(*d.*) for prescribing precautions to be taken for protecting milk against infection or contamination;

(*e.*) for authorising the county council to make byelaws for the purposes aforesaid, or any of them.

(2.) The county council for the purpose of enforcing the said orders and any byelaws made thereunder shall have the same right to be admitted to any premises as a sanitary authority have under this Act for the purpose of examining as to the existence of a nuisance liable to be dealt with summarily, and the provisions of

this Act shall apply accordingly as if they were herein re-enacted and in terms made applicable to this section, and in particular with the substitution of the county council for the sanitary authority. *Dairies.*

(3.) The Local Government Board may by any such order impose the like fines for offences against orders made under this section as may be imposed for offences against the byelaws of a sanitary authority under this Act.

(4.) In the application of this section to the City of London, the mayor, commonalty, and citizens of the city acting by the council shall be substituted for the county council, and their expenses in the execution of this section shall be paid out of the consolidated rate.

Removal of Refuse.

Removal of Refuse.

Duty of sanitary authority to clean streets.

29.—(1.) It shall be the duty of every sanitary authority to keep the streets of their district, which are repairable by the inhabitants at large, including the footways, properly swept and cleansed so far as is reasonably practicable, and to collect and remove from the said streets, so far as is reasonably practicable, all street refuse.

(2.) If any such street in the district of any sanitary authority, including the footway, is not properly swept and cleansed, or the street refuse is not collected and removed from any such street, so far as is reasonably practicable, as required by this section, the sanitary authority shall be liable to a fine not exceeding twenty pounds.

(3.) So much of any Act as requires the occupier or owner of any premises in London to cause the footways and watercourses adjoining the premises to be swept and cleansed is hereby repealed.

Removal of house refuse.

30.—(1.) It shall be the duty of every sanitary authority—

(*a*) to secure the due removal at proper periods of house refuse from premises, and the due cleansing out and emptying at proper periods of ashpits, and of earth closets, privies, and cesspools (if any), in their district, and the giving of sufficient notice of the times appointed for such removal, cleansing out, and emptying, and

(*b*) where the house refuse is not removed from any premises in the district at the ordinary period, or any ashpit, earth-closet, privy, or cesspool in or under any building in the district is not cleansed out or emptied at the ordinary period, and the occupier of the premises serves on the authority a written notice requiring the removal of such refuse, or the cleansing out and emptying of the ashpit, earth-closet, privy, or cesspool, as the case may be, to comply with such notice within forty-eight hours after that service, exclusive of Sundays and public holidays.

(2.) If a sanitary authority fail without reasonable cause to comply with this section, they shall be liable to a fine not exceeding twenty pounds.

(3.) If any person in the employ of the sanitary authority, or of any contractor with the sanitary authority, demands from an

Removal of Refuse.

occupier or his servant any fee or gratuity for removing any house refuse from any premises, he shall be liable to a fine not exceeding twenty shillings.

Sanitary authority to appoint scavengers.

31. Every sanitary authority shall employ a sufficient number of scavengers, or contract with any scavengers, whether a company or individuals, for the execution of the duties of the sanitary authority under this Act with respect to the sweeping and cleansing of the several streets within their district, and the collection and removal of street refuse and house refuse, and the cleansing out and emptying of ash-pits, earth-closets, privies, and cesspools.

Disposal of refuse.

32. All street refuse and house refuse collected by or on behalf of a sanitary authority shall be the property of that authority, and the authority shall have full power to sell and dispose of the same for the purposes of this Act as they may think proper, and the person purchasing the same shall have full power to take, carry away, and dispose of the same for his own use, and the money arising from the sale thereof shall be applied toward defraying the expenses of the execution of this Act.

Owners, &c. to pay for removal of refuse of trades.

33.—(1.) If the sanitary authority are required by the owner or occupier of any premises to remove any trade refuse, that authority shall do so, and the owner or occupier shall pay to that authority a reasonable sum for such removal, and such sum, in case of dispute, shall be settled by the order of a petty sessional court.

(2.) If any dispute or difference of opinion arises between the owner or occupier and the sanitary authority as to what is to be considered as trade refuse, a petty sessional court, on complaint made by either party, may by order determine whether the subject matter of dispute is or is not trade refuse, and the decision of that court shall be final.° ° No appl. to Ct. of Ex. Howarth v. Lavin Hotel. 1907 1 KB 910; 1908 AC 142

Provision on neglect of scavengers to remove dust.

34.—(1.) If the sanitary authority, or any persons employed by them, neglect for the space of seven days to remove all such house refuse as they are required by or in pursuance of this Act to remove, then an occupier of premises (after twenty-four hours' notice given by him to the sanitary authority requiring them to remove the same), may without prejudice to any other proceeding under this Act give away or sell his house refuse; and any person who in pursuance of such gift or sale removes the said house refuse shall not be liable to any fine for so doing.

(2.) Save as aforesaid, if any person other than the sanitary authority or their contractors or servants receives, carries away, or collects any house refuse or street refuse from any premises or street, such person shall be liable to a fine not exceeding five pounds.

Removal of filth on requisition of sanitary inspector.

35.—(1.) Where it appears to a sanitary inspector that any accumulation of any obnoxious matter, whether manure, dung, soil, filth, or other matter, ought to be removed, and it is not the duty of the sanitary authority to remove the same, he shall serve notice on the owner thereof, or on the occupier of the premises on which

it exists, requiring him to remove the same, and if the notice is not complied with within forty-eight hours from the service thereof, exclusive of Sundays and public holidays, the matter referred to shall be the property of the sanitary authority, and be removed and disposed of by them, and the proceeds (if any) of such disposal shall be applied in payment of the expenses incurred with reference to the matter removed, and the surplus (if any) shall be paid on demand to the former owner of the matter.

Removal of Refuse.

(2.) The expenses of such removal and disposal, so far as not covered by such proceeds, may be recovered by the sanitary authority in a summary manner from the former owner of the matter removed, or from the occupier, or, where there is no occupier, the owner, of the premises.

36.—(1.) The sanitary authority, if they think fit, may employ a sufficient number of scavengers, or contract with any scavengers, whether a company or individuals, for collecting and removing the manure and other refuse matter from any stables and cowhouses within their district, the occupiers of which signify their consent in writing to such removal; provided that—

Removal of refuse from stables, cow-houses, &c.

(*a*) such consent shall not be withdrawn or revoked without one month's previous notice to the sanitary authority, and

(*b*) no person shall be hereby relieved from any fine to which he may be subject for placing dung or manure upon any footways or carriageways, or for having any accumulation or deposit of manure or other refuse matter so as to be a nuisance or injurious or dangerous to health.

(2.) Notice may be given by a sanitary authority (by public announcement in the district or otherwise) requiring the periodical removal of manure or other refuse matter from stables, cowhouses, or other premises; and, where any such notice has been given, if any person to whom the manure or other refuse matter belongs fails to comply with the notice, he shall be liable without further notice to a fine not exceeding twenty shillings for each day during which such non-compliance continues.

Regulations as to Waterclosets, &c.

Regulations as to Waterclosets, &c.

37.—(1.) It shall not be lawful newly to erect any house or to rebuild any house pulled down to or below the ground floor without a sufficient ashpit furnished with proper doors and coverings, and one or more proper and sufficient waterclosets according as circumstances may require, furnished with suitable water supply and water supply apparatus, and with suitable trapped soilpan and other suitable works and arrangements, so far as may be necessary to ensure the efficient operation thereof.

Obligation to provide waterclosets, &c.

(2.) If any person offends against the foregoing enactment of this section, he shall be liable to a fine not exceeding twenty pounds.

(3.) If at any time it appears to the sanitary authority that any house, whether built before or after the commencement of this Act,

Regulations as to Waterclosets, &c.

is without such ashpit or waterclosets as aforesaid, the sanitary authority shall cause notice to be served on the owner or occupier of the house, requiring him forthwith, or within such reasonable time as is specified in the notice, to provide the same in accordance with the directions in the notice; and, if the notice is not complied with, the said owner or occupier shall be liable to a fine not exceeding five pounds, and a further fine not exceeding forty shillings for each day during which the offence continues; or the sanitary authority, if they think fit, in lieu of proceeding for a fine, may enter on the premises and execute such works as the case may require, and may recover the expenses incurred by them in so doing from the owner of the house.

(4.) Provided that—

(*a*) where sewerage or water supply sufficient for a watercloset is not reasonably available, this section shall be complied with by the provision of a privy or earth-closet; and

(*b*) where a watercloset has before the commencement of this Act been and is used in common by the inmates of two or more houses, and in the opinion of the sanitary authority may continue to be properly so used, they need not require a watercloset to be provided for each house.

(5.) Any person who thinks himself aggrieved by any notice or act of a sanitary authority under this section may appeal to the county council, whose decision shall be final.

Sanitary conveniences for manufactories, &c.

38.—(1.) Every factory, workshop, and workplace, whether erected before or after the passing of this Act, shall be provided with sufficient and suitable accommodation in the way of sanitary conveniences, regard being had to the number of persons employed in or in attendance at such building, and also where persons of both sexes are, or are intended to be, employed, or in attendance, with proper separate accommodation for persons of each sex.

(2.) Where it appears to a sanitary authority that this section is not complied with in the case of any factory, workshop, or workplace, the sanitary authority shall, by notice served on the owner or occupier of such factory, workshop, or workplace, require him to make the alterations and additions necessary to secure such compliance, and if the person served with such notice fails to comply therewith he shall be liable to a fine not exceeding twenty pounds, and to a fine not exceeding forty shillings for every day after conviction during which the non-compliance continues.

Byelaws as to waterclosets, &c.

39.—(1.) The county council shall make byelaws with respect to waterclosets, earth closets, privies, ashpits, cesspools, and receptacles for dung, and the proper accessories thereof in connexion with buildings, whether constructed before or after the passing of this Act.

(2.) Every sanitary authority shall make byelaws with respect to the keeping of waterclosets supplied with sufficient water for their effective action.

(3.) It shall be the duty of every sanitary authority to observe and enforce the byelaws under this section; and any directions given by the sanitary authority under this Act shall be in accordance with the said byelaws, and so far as they are not so in accordance shall be void.

Regulations as to Water-closets, &c.

40.—(1.) The sanitary authority may examine any of the following works, that is to say, any watercloset, earth closet, privy, ashpit, or cesspool, and any water supply, sink, trap, siphon, pipe, or other works or apparatus connected therewith, upon any premises within their district, and for that purpose, or for the purpose of ascertaining the course of a drain, may at all reasonable times by day, after twenty-four hours' notice has been served on the occupier of the premises, or if they are unoccupied on the owner, or in case of emergency without notice, enter on any premises, and cause the ground to be opened in any place they think fit, doing as little damage as may be.

Power for sanitary authority to authorise examination of waterclosets, &c.

(2.) If any such work as aforesaid is found on examination to be in accordance with this Act and the byelaws of the county council and sanitary authority and directions of the sanitary authority given in any notice under this Act, and in proper order and condition, the sanitary authority shall cause the same to be reinstated and made good as soon as may be, and shall defray the expenses of examination, reinstating, and making good the same, and pay full compensation for all damages or injuries done or occasioned by the examination; but if on examination any such work is found not to be in proper order or condition, or not to have been made or provided by any person according to the said byelaws and directions, or to be contrary to this Act, the reasonable expenses of the examination shall be repaid to the sanitary authority by the person offending, and may be recovered by that authority in a summary manner.

41.—(1.) In any of the following cases—

Penalty on persons improperly making or altering waterclosets, &c.

(*a*) if, on such examination as in the preceding section mentioned, any such work as therein mentioned is found not to have been made or provided by any person according to the byelaws of the county council and sanitary authority, and the directions of the sanitary authority given in any notice under this Act, or to be contrary to this Act, or

(*b*) if a person, without the consent of the sanitary authority, constructs or rebuilds any watercloset, earth closet, privy, ashpit, or cesspool which has been ordered by them either not to be made, or to be demolished, or

(*c*) if a person discontinues any water supply without lawful authority, or

(*d*) if a person destroys any sink, trap, siphon, pipe, or any connected works or apparatus as aforesaid either without lawful authority or so that the destruction creates a nuisance or is injurious or dangerous to health,

every person so offending shall be liable to a fine not exceeding ten pounds; and if he does not, within fourteen days after notice is

Regulations as to Water-closets, &c.

served on him by the sanitary authority, or within any further time allowed by that authority or appearing to a petty sessional court necessary for the execution of the works, cause such water-closet, earth closet, privy, ashpit, or cesspool to be altered or reinstated in conformity with the said byelaws and directions, or, as the case may be, to be demolished, or such water supply to be renewed, or such sink, trap, siphon, pipe or other connected works or apparatus to be restored, such person shall be liable to a fine not exceeding twenty shillings for each day during which the offence continues; or the sanitary authority, if they think fit, in lieu of proceeding for a fine, may enter on the premises and cause the work to be done, and the expenses thereof shall be paid by the person who has so offended.

(2.) If, on such examination as aforesaid, any watercloset, earth closet, privy, ashpit, or cesspool, or any water supply, sink, trap, siphon, pipe, or any of the connected works or apparatus as aforesaid, appears to be in bad order and condition, or to require cleansing, alteration, or amendment, or to be filled up, the sanitary authority shall cause notice to be served on the owner or occupier of the premises, upon or in respect of which the inspection was made, requiring him forthwith, or within a reasonable time specified in the notice, to do what is necessary to place the work in proper order and condition; and if such notice is not complied with, the said owner or occupier shall be liable to a fine not exceeding five pounds, and to a further fine not exceeding forty shillings for each day during which the offence continues; or the sanitary authority, if they think fit, in lieu of proceeding for a fine, may enter on the premises and execute the works, and the expenses incurred by them in so doing shall be paid to them by the owner or occupier of the premises.

(3.) Any person who thinks himself aggrieved by any notice or act of a sanitary authority under this section in relation to any watercloset, earth closet, privy, ashpit, or cesspool, may appeal to the county council, whose decision shall be final.

Improper construction or repair of water-closet or drain.

42. If a watercloset or drain is so constructed or repaired as to be a nuisance or injurious or dangerous to health, the person who undertook or executed such construction or repair shall, unless he shows that such construction or repair was not due to any wilful act, neglect, or default, be liable to a fine not exceeding twenty pounds:

Provided that where a person is charged with an offence under this section he shall be entitled, upon information duly laid by him, to have any other person, being his agent, servant, or workman, whom he charges as the actual offender, brought before the court at the time appointed for hearing the charge, and if he proves to the satisfaction of the court that he had used due diligence to prevent the commission of the offence, and that the said other person committed the offence without his knowledge, consent, or connivance, he shall be exempt from any fine, and the said other person may be summarily convicted of the offence.

Regulations as to Water-closets, &c.

Sanitary authority to cause offensive ditches, drains, &c. to be cleansed or covered.

43.—(1.) Every sanitary authority—

(*a*) shall drain, cleanse, cover, or fill up, or cause to be drained, cleansed, covered, or filled up, all ponds, pools, open ditches, drains, and places containing or used for the collection of any drainage, filth, water, matter, or thing of an offensive nature, or likely to be prejudicial to health, which may be situate in their district; and

(*b*) shall cause notice to be served on the person causing any such nuisance, or on the owner or occupier of any premises whereon the same exists, requiring him, within the time specified in such notice, to drain, cleanse, cover, or fill up such pond, pool, ditch, drain, or place, or to construct a proper drain for the discharge of such filth, water, matter, or thing, or to execute such other works as the case may require.

(2.) If the person on whom such notice is served fails to comply therewith, he shall be liable to a fine not exceeding five pounds, and a further fine not exceeding forty shillings for each day during which the offence continues; or the sanitary authority, if they think fit, in lieu of proceeding for a fine, may enter on the premises and execute such works as may be necessary for the abatement of the nuisance, and may recover the expenses thereby incurred from the owner of the premises: Provided that—

(*a*) the sanitary authority, where they think it reasonable, may defray all or any portion of the said expenses, as expenses of sewerage are to be defrayed by that authority; and

(*b*) where any work which a sanitary authority does or requires to be done in pursuance of this section interferes with or prejudicially affects any ancient mill, or any right connected therewith, or other right to the use of water, the sanitary authority shall make full compensation to all persons sustaining damage thereby, in manner provided by the Metropolis Management Act, 1855, or if they think fit, may purchase such mill, or any such right connected therewith, or other right to the use of water; and the provisions of the said Act with respect to purchases by the sanitary authority shall be applicable to every such purchase as aforesaid.

18 & 19 Vict. c. 120.

(3.) Any person who thinks himself aggrieved by any notice or act of a sanitary authority under this section in relation to the construction, covering, filling up, or other alteration of any drain may appeal to the county council, whose decision shall be final.

Power to sanitary authority to provide public conveniences.

44.—(1.) Every sanitary authority may provide and maintain public lavatories and ashpits and public sanitary conveniences other than privies, in situations where they deem the same to be required, and may supply such lavatories and sanitary conveniences with water, and may defray the expense of providing such lavatories, ashpits, and sanitary conveniences, and of any damage occasioned to any person by the erection or construction thereof, and the expense of keeping the same in good order, as if they were expenses of sewerage.

Regulations as to Water-closets, &c.

(2.) For the purpose of such provision the subsoil of any road, exclusive of the footway adjoining any building or the curtilage of a building, shall be vested in the sanitary authority.

Regulations as to public sanitary conveniences.

45.—(1.) Where a sanitary authority provide and maintain any public lavatories, ashpits, or sanitary conveniences, such authority may—

(*a*) make regulations with respect to the management thereof, and byelaws as to the decent conduct of persons using the same; and

(*b*) let the same for any term not exceeding three years at such rent and subject to such conditions as they may think fit; and

(*c*) charge such fees for the use of any lavatories or waterclosets provided by them as they may think proper.

(2.) No public lavatory, ashpit, or sanitary convenience shall be erected in or accessible from any street without the consent in writing of the sanitary authority, who may give their consent upon such terms as to the use thereof or the removal thereof at any time, if required by the sanitary authority, as they may think fit.

(3.) If any person erects a lavatory, ashpit, or sanitary convenience in contravention of this section, and after notice to that effect served by the sanitary authority does not remove the same, he shall be liable to a fine not exceeding five pounds, and to a fine not exceeding twenty shillings for every day during which the offence continues after a conviction for the offence.

(4.) Nothing in this section shall extend to any lavatory or sanitary convenience now or hereafter erected by any railway company within their railway station yard or the approaches thereto.

Sanitary conveniences used in common.

46. The following provisions shall have effect with respect to any sanitary convenience used in common by the occupiers of two or more separate dwelling-houses, or by other persons:—

(1.) If any person injures or improperly fouls any such sanitary convenience, or anything used in connexion therewith, he shall for each offence be liable to a fine not exceeding ten shillings;

(2.) If any such sanitary convenience or the approaches thereto, or the walls, floors, seats, or fittings thereof, is or are in the opinion of the sanitary authority or of their sanitary inspector or medical officer of health in such a state as to be a nuisance or annoyance to any inhabitant of the district for want of the proper cleansing thereof, such of the persons having the use thereof in common as may be in default, or, in the absence of proof satisfactory to the court as to which of the persons having the use thereof in common is in default, each of those persons, shall be liable to a fine not exceeding ten shillings, and to a fine not exceeding five shillings for every day during which the offence continues after a conviction for the offence.

Unsound Food.

Unsound Food.

Inspection and destruction of unsound meat, &c.

47.—(1.) Any medical officer of health or sanitary inspector may at all reasonable times enter any premises and inspect and examine

(*a*) any animal intended for the food of man which is exposed for sale, or deposited in any place for the purpose of sale, or of preparation for sale, and

(*b*) any article, whether solid or liquid, intended for the food of man, and sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale,

the proof that the same was not exposed or deposited for any such purpose or was not intended for the food of man, resting with the person charged; and if any such animal or article appears to such medical officer or inspector to be diseased, or unsound, or unwholesome, or unfit for the food of man, he may seize and carry away the same himself or by an assistant, in order to have the same dealt with by a justice.

(2.) If it appears to a justice that any animal or article which has been seized or is liable to be seized under this section is diseased, or unsound, or unwholesome, or unfit for the food of man, he shall condemn the same, and order it to be destroyed or so disposed of as to prevent it from being exposed for sale or used for the food of man; and the person to whom the same belongs or did belong at the time of sale or exposure for sale, or deposit for the purpose of sale or of preparation for sale, or in whose possession or on whose premises the same was found, shall be liable on summary conviction to a fine not exceeding fifty pounds for every animal, or article, or if the article consists of fruit, vegetables, corn, bread, or flour, for every parcel thereof so condemned, or, at the discretion of the court, without the infliction of a fine, to imprisonment for a term of not more than six months with or without hard labour.

(3.) Where it is shown that any article liable to be seized under this section, and found in the possession of any person was purchased by him from another person for the food of man, and when so purchased was in such a condition as to be liable to be seized and condemned under this section, the person who so sold the same shall be liable to the fine and imprisonment above mentioned, unless he proves that at the time he sold the said article he did not know, and had no reason to believe, that it was in such condition.

(4.) Where a person convicted of an offence under this section has been within twelve months previously convicted of an offence under this section, the court may, if it thinks fit, and finds that he knowingly and wilfully committed both such offences, order that a notice of the facts be affixed, in such form and manner, and for such period not exceeding twenty-one days, as the court may order, to any premises occupied by that person, and that the person do pay the costs of such affixing; and if any person obstructs the affixing of such notice, or removes, defaces, or conceals

Unsound Food.

the notice while affixed during the said period, he shall for each offence be liable to a fine not exceeding five pounds.

(5.) If the occupier of a licensed slaughter-house is convicted of an offence under this section, the court convicting him may cancel the licence for such slaughter-house.

(6.) If any person obstructs an officer in the performance of his duty under any warrant for entry into any premises granted by a justice in pursuance of this Act for the purposes of this section, he shall, if the court is satisfied that he obstructed with intent to prevent the discovery of an offence against this section, or has within twelve months previously been convicted of such obstruction, be liable to imprisonment for any term not exceeding one month in lieu of any fine authorised by this Act for such obstruction.

(7.) A justice may act in adjudicating on an offender under this section, whether he has or has not acted in ordering the animal or article to be destroyed or disposed of.

(8.) Where a person has in his possession any article which is unsound or unwholesome or unfit for the food of man, he may, by written notice to the sanitary authority, specifying such article, and containing a sufficient identification of it, request its removal, and the sanitary authority shall cause it to be removed as if it were trade refuse.

Provisions as to Water.

Provisions as to Water.

Provisions as to house without proper water supply.

48.—(1.) An occupied house without a proper and sufficient supply of water shall be a nuisance liable to be dealt with summarily under this Act, and, if it is a dwelling-house, shall be deemed unfit for human habitation.

(2.) A house which after the commencement of this Act is newly erected, or is pulled down to or below the ground floor and rebuilt, shall not be occupied as a dwelling-house until the sanitary authority have certified that it has a proper and sufficient supply of water, either from a water company or by some other means.

(3.) If the sanitary authority refuse such certificate, or fail to give it within one month after written request for the same from the owner of the house, the owner of the house may apply to a petty sessional court, and that court, after hearing or giving the sanitary authority an opportunity to be heard, may, if they think the certificate ought to have been granted, make an order authorising the occupation of the house; but, unless such order is made, an owner who occupies or permits to be occupied the house as a dwelling-house without such certificate shall be liable to a fine not exceeding ten pounds, and to a fine not exceeding twenty shillings for every day during which it is so occupied until a proper and sufficient supply of water is provided; but the imposition of such fine shall be without prejudice to any proceedings for obtaining a closing order.

Notice to sanitary authority of water supply being cut off.

49.—(1.) Where a water company may lawfully cut off the water supply to any inhabited dwelling-house and cease to supply such dwelling-house with water for non-payment of water rate or other cause, the company shall in every case, within twenty-four

hours after exercising the said right, give notice thereof in writing to the sanitary authority of the district in which the house is situated. *Provisions as to Water.*

(2.) Any company which neglects to comply with the foregoing provision shall be liable to a fine not exceeding ten pounds, and it shall be the duty of the sanitary authority to take proceedings against any company in default.

(3.) This section shall apply to every water company which is a trading company supplying water for profit.

50. Every sanitary authority shall make byelaws for securing the cleanliness and freedom from pollution of tanks, cisterns, and other receptacles used for storing of water used or likely to be used by man for drinking or domestic purposes, or for manufacturing drink for the use of man. Cleansing of cisterns.

51.—(1.) All existing public cisterns, reservoirs, wells, fountains, pumps, and works used for the gratuitous supply of water to the inhabitants of the district of any sanitary authority, and not vested in any person or authority other than the sanitary authority, shall vest in and be under the control of the sanitary authority; and that authority may maintain the same and plentifully supply them with pure and wholesome water, or may substitute, maintain, and plentifully supply with pure and wholesome water other such works equally convenient, and may maintain and supply with water as aforesaid other public cisterns, reservoirs, wells, fountains, pumps, and other such works within their district. Power of sanitary authority as to public fountains.

(2.) The sanitary authority may provide and maintain public wells, pumps, and drinking fountains in such convenient and suitable situations as they may deem proper.

(3.) If any person wilfully damages any of the said wells, pumps, or fountains, or any part thereof, he shall, in addition to any punishment to which he is liable, pay to the sanitary authority the expenses of repairing or reinstating such well, fountain, pump, or part thereof.

52.—(1.) If any person engaged in the manufacture of gas— Penalty for causing water to be corrupted by gas washings.

(*a*) causes or suffers to be brought or to flow into any source of water supply, or into any drain or pipe communicating therewith, any washing or other substance produced in making or supplying gas; or,

(*b*) wilfully or negligently does any act connected with the making or supplying of gas whereby the water in any source of water supply is fouled,

he shall for every such offence be liable to a fine of two hundred pounds, and, after the expiration of twenty-four hours notice from the sanitary authority or the person to whom the water belongs in that behalf, to a further fine of twenty pounds for every day during which the offence continues.

(2.) Every such fine may be recovered, with full costs of action, in the High Court, in the case of water belonging to or under the control of the sanitary authority by that authority, and in any other case by the person into whose water such washing or other

Provisions as to Water.

substance is brought or flows, or whose water is fouled by any such act as aforesaid, or in default of proceedings by such person after notice to him from the sanitary authority of their intention to proceed for such fine, by the sanitary authority; but such fine shall not be recoverable unless it is sued for during the continuance of the offence, or within six months after it has ceased.

Penalty for fouling water.

53. If any person does any act whereby any fountain or pump is wilfully or maliciously damaged, or is guilty of any act or neglect whereby the water of any well, fountain, or pump used or likely to be used by man for drinking or domestic purposes, or for manufacturing drink for the use of man, is polluted or fouled, he shall be liable to a fine not exceeding five pounds for each offence, and a further fine not exceeding twenty shillings for every day during which the offence continues after notice is served on him by the sanitary authority in relation thereto, but this section shall not extend to offences against the last preceding section by persons engaged in the manufacture of gas.

Power to close polluted wells, &c.

54.—(1.) On the representation of any person to a sanitary authority that within their district the water in any well, tank, or cistern, public or private, or supplied from any public pump, is used or likely to be used by man for drinking or domestic purposes, or for manufacturing drink for the use of man, and is so polluted, or is likely to be so polluted, as to be injurious or dangerous to health, a petty sessional court, on complaint by such authority and after hearing the person who is the owner or occupier of the premises to which the well, tank, or cistern belongs, if it be private, or in the case of a public well, tank, cistern, or pump, is alleged in the complaint to be interested in the same, or after giving him an opportunity of being heard, may by summary order direct the well, tank, cistern, or pump to be permanently or temporarily closed, or make such other order as appears to the court requisite to prevent injury or danger to the health of persons drinking the water.

(2.) The court may, if they see fit, cause the water complained of to be analysed at the cost of the sanitary authority complaining.

(3.) If the person on whom the order is made fails to comply therewith, he shall be liable to a fine not exceeding twenty pounds, and a petty sessional court on complaint by the sanitary authority may authorise that authority to execute the order, and any expenses incurred by them in so doing may be recovered in a summary manner from the said person.

Infectious Diseases.—Notification.

Infectious Diseases.—Notification.

Notification of infectious disease.

55.—(1.) Where an inmate of any house within the district of a sanitary authority is suffering from an infectious disease to which this section applies, the following provisions shall have effect, that is to say:—

(*a.*) The head of the family to which such inmate (in this section referred to as the patient) belongs, and in his default the nearest relatives of the patient present in the house or being in attendance on the patient, and in default of such relatives,

Infectious Diseases.— Notification.

every person in charge of or in attendance on the patient, and in default of any such person the master of the house, shall, as soon as he becomes aware that the patient is suffering from an infectious disease to which this section applies, send notice thereof to the medical officer of health of the district:

(*b.*) Every medical practitioner attending on or called in to visit the patient shall forthwith, on becoming aware that the patient is suffering from an infectious disease to which this section applies, send to the medical officer of health of the district a certificate stating the full name and the age and sex of the patient, the full postal address of the house, and the infectious disease from which in the opinion of such medical practitioner the patient is suffering, and stating also whether the case occurs in the private practice of such practitioner or in his practice as a medical officer of any public body or institution, and where the certificate refers to the inmate of a hospital it shall specify the place from which and the date at which the inmate was brought to the hospital, and shall be sent to the medical officer of health of the district in which the said place is situate:

Provided that, in the case of a hospital of the Metropolitan Asylum Managers, a notice or certificate need not be sent respecting any inmate with respect to whom a copy of the certificate has been previously forwarded by the medical officer of health of the district to the said Managers.

(2.) Every person required by this section to send a notice or certificate, who fails forthwith to send the same, shall be liable to a fine not exceeding forty shillings: Provided that if a person is not required to send notice in the first instance, but only in default of some other person, he shall not be liable to any fine if he satisfies the court that he had reasonable cause to suppose that the notice had been duly sent.

(3.) The Local Government Board may prescribe forms for the purpose of certificates to be sent in pursuance of this section, and if such forms are so prescribed, they shall be used in all cases to which they apply. The sanitary authority shall gratuitously supply forms of certificate to any medical practitioner residing or practising in their district who applies for the same, and shall pay to every medical practitioner for each certificate duly sent by him in accordance with this section a fee of two shillings and sixpence if the case occurs in his private practice, and of one shilling if the case occurs in his practice as medical officer of any public body or institution.

(4.) Where a medical officer of health receives a certificate under this section relating to a patient within the Metropolitan Asylum district, he shall, within twelve hours after such receipt, send a copy thereof to the Metropolitan Asylum Managers, and to the head teacher of the school attended by the patient (if a child), or by any child who is an inmate of the same house as the patient. The Metropolitan Asylum Managers shall repay to the sanitary authority the fees paid by that authority in respect of the certificates whereof copies have been so sent to the Managers.

Infectious Diseases.— Notification.

The Managers shall send weekly to the county council, and to every medical officer of health, such return of the infectious diseases of which they receive certificates in pursuance of this section as the county council require.

(5.) Where in any district of a sanitary authority there are two or more medical officers of health of that authority, a certificate under this section shall be sent to such one of those officers as has charge of the area in which is the patient referred to in the certificate, or to such other of those officers as the sanitary authority may direct.

(6.) A notice or certificate to be sent to a medical officer in pursuance of this section may be sent to such officer at his office or residence.

(7.) This section shall apply to every building, vessel, tent, van, shed, or similar structure used for human habitation, in like manner as nearly as may be as if it were a house; but nothing in this section shall extend to any house, building, vessel, tent, van, shed, or similar structure belonging to Her Majesty the Queen, or to any inmate thereof, nor to any vessel belonging to any foreign government.

(8.) In this section the expression "infectious disease to which this section applies" means any of the following diseases, namely, small-pox, cholera, diphtheria, membranous croup, erysipelas, the disease known as scarlatina or scarlet fever, and the fevers known by any of the following names, typhus, typhoid, enteric, relapsing, continued, or puerperal, and includes as respects any particular district any infectious disease to which this section has been applied by the sanitary authority of the district in manner provided by this Act.

Power of sanitary authority to add to number of infectious diseases of which notification is required.

56.—(1.) The sanitary authority of any district may, by resolution passed at a meeting of that authority of which such notice has been given as in this section mentioned, order that the foregoing section with respect to the notification of infectious disease shall apply in their district to any infectious disease other than a disease specifically mentioned in that section; any such order may be permanent or temporary, and, if temporary, the period during which it is to continue in force shall be specified therein, and any such order may be revoked or varied by the sanitary authority which made the same.

(2.) Fourteen clear days at least before the meeting at which such resolution is proposed special notice of the meeting, and of the intention to propose the making of such order, shall be given to every member of the sanitary authority, and the notice shall be deemed to have been duly given to a member if it is given in the mode in which notices to attend meetings of the sanitary authority are usually given.

(3.) An order under this section and the revocation and variation of any such order shall not be of any validity until it has been approved by the Local Government Board, and when it is so approved the sanitary authority shall give public notice thereof by advertisement in a local newspaper, and by handbills, and otherwise in such manner as the sanitary authority think sufficient for

giving information to all persons interested; they shall also send a copy thereof to each legally qualified medical practitioner whom, after due inquiry, they ascertain to be residing or practising in their district. *Infectious Diseases.—Notification.*

(4.) The said order shall come into operation at such date not earlier than one week after the publication of the first advertisement of the approved order as the sanitary authority may fix, and upon the order coming into operation, and during the continuance thereof, an infectious disease mentioned in the order shall, within the district of the authority, be an infectious disease to which the foregoing section with respect to the notification of infectious disease applies.

(5.) In the case of emergency three clear days notice of the meeting and of the intention to propose the making of the order shall be sufficient, and the resolution shall declare the cause of the emergency and shall be for a temporary order, and a copy thereof shall be forthwith sent to the Local Government Board and advertised, and the order shall come into operation at the expiration of one week from the date of the advertisement; but unless approved by the Local Government Board shall cease to be in force at the expiration of one month after it is passed, or any earlier date fixed by the Local Government Board; if it is approved by the Local Government Board that approval shall be conclusive evidence that the case was one of emergency.

(6.) The county council shall, as respects London, have the same power of extending the foregoing section by order to any infectious disease, and the same power of revoking and varying the order, as a sanitary authority have under this section as respects their district; and the foregoing section when so extended by the county council shall be construed as if it had been applied under this section as respects every district in London by the sanitary authority thereof.

57.—(1.) A payment made to any medical practitioner in pursuance of the provisions of this Act with respect to the notification of infectious disease shall not disqualify that practitioner for serving as member of the county council, or of a sanitary authority, or as guardian of a poor law union, or in any other public office. Non-disqualification of medical officer by receipt of fees.

(2.) Where a medical practitioner attending on a patient is himself the medical officer of health of the district, he shall be entitled to the same fee as if he were not such medical officer.

Infectious Diseases.—Prevention.

Infectious Diseases.—Prevention.

58. The following provisions of this Act relating to dangerous infectious diseases shall apply to the infectious diseases specifically mentioned in the foregoing enactment of this Act relating to the notification of infectious disease, and all or any of such provisions may be applied by order to any other infectious disease in the same manner as that enactment may be applied to such disease, subject to the same power of revoking and varying the order, and Application of special provisions to certain infectious diseases.

Infectious Diseases.— Prevention.

every such infectious disease is in this Act referred to as a dangerous infectious disease.

Provision of means for disinfecting of bedding, &c.

59.—(1.) Every sanitary authority shall provide, either within or without their district, proper premises with all necessary apparatus and attendance for the destruction and for the disinfection, and carriages or vessels for the removal, of articles (whether bedding, clothing, or other) which have become infected by any dangerous infectious disease, and may provide the same for the destruction, disinfection, and removal of such articles when infected by any other disease; and shall cause any such articles brought for destruction or disinfection, whether alleged to be infected by any dangerous infectious disease or by any other disease, to be destroyed or to be disinfected and returned, and may remove, and may destroy, or disinfect and return, such articles free of charge.

(2.) Any sanitary authorities may execute their duty under this section by combining for the purposes thereof, or by contracting for the use by one of the contracting authorities of any premises provided for the purpose of this section by another of such contracting authorities, and may so combine or contract upon such terms as may be agreed upon.

Cleansing and disinfecting of premises, &c.

60.—(1.) Where the medical officer of health of any sanitary authority, or any other legally qualified medical practitioner, certifies that the cleansing and disinfecting of any house, or part thereof, and of any articles therein likely to retain infection, or the destruction of such articles, would tend to prevent or check any dangerous infectious disease, the sanitary authority shall serve notice on the master, or where the house or part is unoccupied on the owner, of such house or part that the same and any such articles therein will be cleansed and disinfected or (as regards the articles) destroyed, by the sanitary authority, unless he informs the sanitary authority within twenty-four hours from the receipt of the notice that he will cleanse and disinfect the house or part and any such articles or destroy such articles to the satisfaction of the medical officer of health, or of any other legally qualified medical practitioner, within a time fixed in the notice.

(2.) If either—

(*a*) within twenty-four hours from the receipt of the notice, the person on whom the notice is served does not inform the sanitary authority as aforesaid, or

(*b*) having so informed the sanitary authority he fails to have the house or part thereof and any such articles disinfected or such articles destroyed as aforesaid within the time fixed in the notice, or

(*c*) the master or owner without such notice gives his consent,

the house or part and articles shall be cleansed and disinfected or such articles destroyed by the officers and at the cost of the sanitary authority under the superintendence of the medical officer of health.

(3.) For the purpose of carrying into effect this section the sanitary authority may enter by day on any premises.

Infectious Diseases.—Prevention.

(4.) The sanitary authority shall provide, free of charge, temporary shelter or house accommodation with any necessary attendants for the members of any family in which any dangerous infectious disease has appeared, who have been compelled to leave their dwellings, for the purpose of enabling such dwellings to be disinfected by the sanitary authority.

(5.) When the sanitary authority have disinfected any house, part of a house, or article, under the provisions of this section, they shall compensate the master or owner of such house, or part of a house, or the owner of such article, for any unnecessary damage thereby caused to such house, part of a house, or article; and when the authority destroy any article under this section they shall compensate the owner thereof; and the amount of any such compensation shall be recoverable in a summary manner.

Disinfection of bedding, &c.

61.—(1.) Any sanitary authority may serve a notice on the owner of any bedding, clothing, or other articles which have been exposed to the infection of any dangerous infectious disease, requiring the delivery thereof to an officer of the sanitary authority for removal for the purpose of destruction or disinfection; and if any person fails to comply with such notice he shall, on the information of the sanitary authority, be liable to a fine not exceeding ten pounds.

(2.) The bedding, clothing, and articles if so disinfected by the sanitary authority shall be brought back and delivered to the owner free of charge, and if any of them suffer any unnecessary damage the authority shall compensate the owner for the same, and the authority shall also compensate the owner for any articles destroyed; and the amount of compensation shall be recoverable in a summary manner.

Infectious rubbish thrown into ash-pits, &c., to be disinfected.

62.—(1.) If a person knowingly casts, or causes or permits to be cast, into any ash-pit any rubbish infected by a dangerous infectious disease without previous disinfection, he shall be liable to a fine not exceeding five pounds, and, if the offence continues, to a further fine not exceeding forty shillings for every day during which the offence so continues after the notice hereafter in this section mentioned.

(2.) The sanitary authority shall cause their officers to serve notice of the provisions of this section on the master of any house or part of a house in which they are aware that there is a person suffering from a dangerous infectious disease, and on the request of such master shall provide for the removal and disinfection or destruction of the aforesaid rubbish.

Penalty on letting house in which infected persons have been lodging.

63.—(1.) Any person who knowingly lets for hire any house, or part of a house, in which any person has been suffering from any dangerous infectious disease, without having such house or part of a house, and all articles therein liable to retain infection, disinfected to the satisfaction of a legally qualified medical practitioner, as testified by a certificate signed by him, or (as regards the articles) destroyed, shall be liable to a fine not exceeding twenty pounds.

Infectious Diseases.—Prevention.

(2.) For the purposes of this section, the keeper of an inn shall be deemed to let for hire part of a house to any person admitted as a guest into such inn.

Penalty on persons letting houses making false statements as to infectious disease.

64. Any person letting for hire, or showing for the purpose of letting for hire, any house or part of a house, who, on being questioned by any person negotiating for the hire, as to the fact of there being, or within six weeks previously having been, therein any person suffering from any dangerous infectious disease, knowingly makes a false answer to such question, shall be liable, at the discretion of the court, to a fine not exceeding twenty pounds, or to imprisonment, with or without hard labour, for a period not exceeding one month.

Penalty on ceasing to occupy house without disinfection or notice to owner, or making false answer.

65.—(1.) Where a person ceases to occupy any house, or part of a house, in which any person has within six weeks previously been suffering from any dangerous infectious disease, and either—

(*a.*) fails to have such house, or part of a house, and all articles therein liable to retain infection, disinfected to the satisfaction of a legally qualified medical practitioner, as testified by a certificate signed by him, or such articles destroyed, or

(*b.*) fails to give to the owner or master of such house, or part of a house, notice of the previous existence of such disease, or

(*c.*) on being questioned by the owner or master of, or by any person negotiating for the hire of, such house or part of a house, as to the fact of there having within six weeks previously been therein any person suffering from any dangerous infectious disease, knowingly makes a false answer to such question,

he shall be liable to a fine not exceeding ten pounds.

(2.) The sanitary authority shall cause their officers to serve notice of the provisions of this section on the master of any house or part of a house in which they are aware that there is a person suffering from a dangerous infectious disease.

Removal to hospital of infected persons without proper lodging.

66.—(1.) A person suffering from any dangerous infectious disease, who is without proper lodging or accommodation, or is lodged in a tent or van, or is on board a vessel, may, on a certificate signed by a legally qualified medical practitioner, and with the consent of the superintending body of the hospital to which he is to be removed, be removed by order of a justice, and at the cost of the sanitary authority of the district where such person is found, to any hospital in or within a convenient distance of London.

(2.) The order may be addressed to such constable or officer of the sanitary authority as the justice making the same thinks expedient; and if any person wilfully disobeys or obstructs the execution of such order he shall be liable to a fine not exceeding ten pounds.

(3.) Any sanitary authority may make byelaws for removing to any hospital to which that authority are entitled to remove patients, and for keeping in that hospital so long as may be necessary, any

persons brought within their district by any vessel who are infected with a dangerous infectious disease.

Infectious Diseases.—Prevention.

Detention of infected person without proper lodging in hospital.

67.—(1.) A justice, on being satisfied that a person suffering from any dangerous infectious disease is in a hospital, and would not on leaving the hospital be provided with lodging or accommodation in which proper precautions could be taken to prevent the spreading of the disease by such person, may direct such person to be detained in the hospital at the cost of the Metropolitan Asylum Managers during the time limited by the justice. Any justice may enlarge the time as often as appears to him necessary for preventing the spread of the disease.

(2.) The direction may be carried into execution by any officer of any sanitary authority, or of the Metropolitan Asylum Managers, or by any inspector of police, or any officer of the hospital.

Penalty on exposure of infected persons and things.

68.—(1.) If any person—

(*a.*) while suffering from any dangerous infectious disease wilfully exposes himself without proper precautions against spreading the said disease in any street, public place, shop, or inn; or

(*b.*) being in charge of any person so suffering, so exposes such sufferer; or

(*c.*) gives, lends, sells, transmits, removes, or exposes, without previous disinfection, any bedding, clothing, or other articles which have been exposed to infection from any such disease;

he shall be liable to a fine not exceeding five pounds.

(2.) Provided that proceedings under this section shall not be taken against persons transmitting with proper precautions any bedding, clothing, or other articles for the purpose of having the same disinfected.

Prohibition on infected person carrying on business.

69. A person who knows himself to be suffering from a dangerous infectious disease shall not milk any animal or pick fruit, and shall not engage in any occupation connected with food or carry on any trade or business in such a manner as to be likely to spread the infectious disease, and if he does so he shall be liable to a fine not exceeding ten pounds.

Prohibition on conveyance of infected person in public conveyance.

70. It shall not be lawful for any owner or driver of a public conveyance knowingly to convey, or for any other person knowingly to place, in any public conveyance, a person suffering from any dangerous infectious disease, or for a person suffering from any such disease to enter any public conveyance, and if he does so he shall be liable to a fine not exceeding ten pounds; and, if any person so suffering is conveyed in any public conveyance, the owner or driver thereof, as soon as it comes to his knowledge, shall give notice to the sanitary authority, and shall cause such conveyance to be disinfected, and if he fails so to do he shall be liable to a fine not exceeding five pounds, and the owner or driver of such conveyance shall be entitled to recover in a summary manner from the person so conveyed by him, or from the person causing that person to be so conveyed, a sum sufficient to cover any loss and expense incurred by him in connexion with such

Infectious Diseases.—Prevention.

disinfection. It shall be the duty of the sanitary authority, when so requested by the owner or driver of such public conveyance, to provide for the disinfection of the same, and they may do so free of charge.

Inspection of dairies, and power to prohibit supply of milk.

71.—(1.) If the medical officer of health of any district has evidence that any person in the district is suffering from a dangerous infectious disease attributable to milk supplied within the district from any dairy situate within or without the district, or that the consumption of milk from such dairy is likely to cause any such infectious disease to any person residing in the district, such medical officer shall, if authorised by an order of a justice having jurisdiction in the place where the dairy is situate, have power to inspect the dairy, and if accompanied by a veterinary inspector or some other properly qualified veterinary surgeon to inspect the animals therein; and, if on such inspection the medical officer of health is of opinion that any such infectious disease is caused from consumption of the milk supplied therefrom, he shall report thereon to the sanitary authority, and his report shall be accompanied by any report furnished to him by the said veterinary inspector or veterinary surgeon, and the sanitary authority may thereupon serve on the dairyman notice to appear before them within such time, not less than twenty-four hours, as may be specified in the notice, to show cause why an order should not be made requiring him not to supply any milk therefrom within the district until the order has been withdrawn by the sanitary authority.

(2.) The sanitary authority, if in their opinion he fails to show such cause, may make the said order, and shall forthwith serve notice of the facts on the county council of the county in which the dairy is situate, and on the Local Government Board, and, if the dairy is situate within the district of another sanitary authority, on such authority.

(3.) The said order shall be forthwith withdrawn on the sanitary authority or their medical officer of health on their behalf being satisfied that the milk supply has been changed, or that the cause of the infection has been removed.

(4.) If any person refuses to permit the medical officer of health, on the production of a justice's order under this section, to inspect any dairy, or if so accompanied as aforesaid to inspect the animals kept there, or, after any such order has been made, supplies any milk within the district in contravention of the order or sells it for consumption therein, he shall, on the information of the sanitary authority, be liable to a fine not exceeding five pounds, and, if the offence continues, to a further fine not exceeding forty shillings for every day during which the offence continues.

(5.) Provided that—

(*a.*) proceedings in respect of the offence shall be taken before a court having jurisdiction in the place where the dairy is situate, and

(*b.*) a dairyman shall not be liable to an action for breach of contract if the breach be due to an order under this section.

Infectious Diseases.—Prevention.

(6.) Proceedings may be taken under this section in respect of a dairy situate in the district of a local authority under the Public Health Acts, and the notice of the facts shall be served on the local authority as if they were a sanitary authority within the meaning of this Act.

(7.) Nothing in or done under this section shall interfere with the operation or effect of the Contagious Diseases (Animals) Acts, 1878 to 1886, or this Act, or of any order, licence, or act of the Board of Agriculture or the Local Government Board thereunder, or of any order, byelaw, regulation, licence, or act of a local authority made, granted, or done under any such order of the Board of Agriculture or the Local Government Board, or exempt any dairy, building, or thing or any person from the provisions of any general Act relating to dairies, milk, or animals.

Prohibition of retention of dead body in certain cases.

72.—(1.) A person shall not without the sanction in writing of the medical officer of health, or of a legally qualified medical practitioner, retain unburied for more than forty-eight hours elsewhere than in a room not used at the time as a dwelling-place, sleeping-place, or workroom, the body of any person who has died of any dangerous infectious disease.

(2.) If a person acts in contravention of this section he shall, on the information of the sanitary authority, be liable to a fine not exceeding five pounds.

Body of person dying of infectious disease in hospital, &c. to be removed only for burial.

73.—(1.) If a person dies in a hospital from any dangerous infectious disease, and the medical officer of health, or any legally qualified medical practitioner, certifies that in his opinion it is desirable, in order to prevent the risk of communicating such infectious disease, that the body be not removed from such hospital except for the purpose of being forthwith buried, it shall not be lawful for any person to remove the body except for that purpose; and the body when taken out of such hospital shall be forthwith taken direct to the place of burial, and there buried.

(2.) If any person wilfully offends against this section he shall, on the information of the sanitary authority, be liable to a fine not exceeding ten pounds.

(3.) Nothing in this section shall prevent the removal of a dead body from a hospital to a mortuary, and such mortuary shall, for the purposes of this section, be deemed part of such hospital.

Disinfection of public conveyances if used for carrying corpses.

74. If—

(*a.*) a person hires or uses a public conveyance other than a hearse for conveying the body of a person who has died from any dangerous infectious disease, without previously notifying to the owner or driver of the conveyance that such person died from infectious disease, or

(*b.*) the owner or driver does not, immediately after the conveyance has to his knowledge been used for conveying such body, provide for the disinfection of the conveyance,

he shall, on the information of the sanitary authority, be liable to a fine not exceeding five pounds, and if the offence continues to a further fine not exceeding forty shillings for every day during which the offence continues.

Hospitals and Ambulances.

Hospitals and Ambulances.

Power of sanitary authority to provide hospitals.

75.—(1.) Any sanitary authority may provide for the use of the inhabitants of their district hospitals temporary or permanent, and for that purpose may—

(*a.*) themselves build such hospitals, or

(*b.*) contract for the use of any hospital or part of a hospital, or

(*c.*) enter into any agreement with any person having the management of any hospital for the reception of the sick inhabitants of their district, on payment of such annual or other sum as may be agreed on.

(2.) Two or more sanitary authorities may combine in providing a common hospital.

Recovery of costs of maintenance of non-infectious patient in hospital.

76. Any expenses incurred by a sanitary authority in maintaining in a hospital (whether or not belonging to that authority) a patient who is not a pauper, and is not suffering from an infectious disease, shall be a simple contract debt due to the sanitary authority from that patient, or from any person liable by law to maintain him, but proceedings for its recovery shall not be commenced after the expiration of six months from the discharge of the patient, or if he dies in such hospital from the date of his death.

Power to provide temporary supply of medicine.

77. Any sanitary authority may, with the sanction of the Local Government Board, themselves provide, or contract with any person to provide, a temporary supply of medicine and medical assistance for the poorer inhabitants of their district.

Provision of conveyance for infected persons.

78. A sanitary authority may provide and maintain carriages suitable for the conveyance of persons suffering from any infectious disease, and pay the expense of conveying therein any person so suffering to a hospital or other place of destination.

Power for Metropolitan Asylum Board to provide landing-places, vessels, ambulances, &c.

79.—(1.) The Metropolitan Asylum Managers shall continue to maintain the wharves, landing-places, and approaches thereto heretofore provided by them, whether within or without London, and may use the same for the embarkation and landing of persons removed to or from any hospital belonging to the Managers, and for any other purpose in relation thereto.

(2.) The Managers may also provide and maintain vessels for use in connexion with the said wharves or landing-places, and with the hospitals of the Managers, and also carriages suitable for the conveyance of persons suffering from any dangerous infectious disease, and shall cause the vessels and carriages to be from time to time properly cleansed and disinfected, and may provide and maintain such buildings and horses, and employ such persons, and do such other things as are necessary or proper for the purposes of such conveyance.

(3.) The Metropolitan Asylum Managers may allow any of the said carriages with the necessary attendants to be also used for the conveyance of persons suffering from any dangerous infectious disease to and from hospitals and places other than hospitals provided by the Managers, and may make a reasonable charge for that use.

Hospitals and Ambulances.

Reception of non-pauper fever and small-pox patients into hospital in metropolitan district.

80.—(1.) The Metropolitan Asylum Managers, subject to such regulations and restrictions as the Local Government Board prescribe, may admit any person, who is not a pauper, and is reasonably believed to be suffering from fever or small-pox or diphtheria, into a hospital provided by the Managers.

(2.) The expenses incurred by the Managers for the maintenance of any such person shall be paid by the board of guardians of the poor law union from which he is received.

(3.) The said expenses shall be repaid to the board of guardians out of the metropolitan common poor fund.

(4.) The admission of a person suffering from an infectious disease into any hospital provided by the Metropolitan Asylum Managers, or the maintenance of any such person therein, shall not be considered to be parochial relief, alms, or charitable allowance to any person, or to the parent or husband of any person; nor shall any person or his or her parent or husband be by reason thereof deprived of any right or privilege, or be subjected to any disability or disqualification.

Reception into hospital in Metropolitan district of child from school outside London.

81.—(1.) Where the London School Board send any child to an industrial school which is provided by them outside London, such child shall for the purpose of the enactments relating to the Metropolitan Asylum Managers be deemed to continue to be an inhabitant of London, and if such child is sent to any hospital of those Managers he shall be deemed to have been sent from that place in London from which he was sent to the said industrial school.

(2.) This section shall apply to that part of London which is not within the Metropolitan Asylum district as if it were within that district, and the board of guardians of the poor law union comprising that part shall pay for such child accordingly.

Prevention of Epidemic Diseases.

Prevention of Epidemic Diseases

Sanitary authority to execute epidemic regulations. 38 & 39 Vict. c. 55.

82.—(1.) The sanitary authority of any district within which or part of which regulations issued by the Local Government Board in pursuance of section one hundred and thirty-four of the Public Health Act, 1875, set out in the First Schedule to this Act (in this Act referred to as the epidemic regulations) are in force, shall superintend and see to the execution thereof, and shall appoint and pay such medical or other officers or persons, and do and provide all such acts, matters, and things, as may be necessary for mitigating any disease to which the regulations relate, or for superintending or aiding in the execution of such regulations, or for executing the same, as the case may require.

(2.) The sanitary authority may direct any prosecution or legal proceedings for or in respect of the wilful violation or neglect of any such regulation.

(3.) The sanitary authority shall have power to enter on any premises or vessel for the purpose of executing or superintending the execution of any of the epidemic regulations.

Poor law medical officers entitled to costs

83.—(1.) Whenever, in compliance with the epidemic regulations, any poor law medical officer performs any medical service on

Prevention of Epidemic Diseases.

of attendance on board vessels.

board any vessel, he shall be entitled to charge extra for such service, at the general rate of his allowance for services for the poor law union for which he is appointed; and such charges shall be paid by the master of the vessel on behalf of the owners thereof, together with any reasonable expenses for the treatment of the sick.

(2.) Where such service is rendered by any medical practitioner who is not a poor law medical officer, he shall be entitled to charge for the service with extra remuneration on account of distance, at the rate which he is in the habit of receiving from private patients of the class of those attended and treated on shipboard, and such charge shall be paid as aforesaid. Any dispute in respect of such charge may, where the charges do not exceed twenty pounds, be determined by a petty sessional court; and that court shall determine summarily the amount which is reasonable, according to the accustomed rate of charge within the place where the dispute arises for attendance on patients of the like class as those in respect of whom the charge is made.

Local Government Board may combine sanitary authorities.

84. The Local Government Board may, if they think fit, by order authorise or require any two or more sanitary authorities to act together for the purposes of the epidemic regulations and prescribe the mode of such joint action, and of defraying the cost thereof, and generally may make any regulations necessary or proper for carrying into execution this section.

Metropolitan Asylum Managers a sanitary authority for prevention of epidemic diseases.

85.—(1.) The Metropolitan Asylum Managers shall within their district have for the purpose of the epidemic regulations such powers and duties of a sanitary authority as may be assigned to them by the regulations; and the Local Government Board may make regulations for that purpose and thereby provide for the adjustment of the functions of the Managers relatively to those of any sanitary authorities.

(2.) Subject to such regulations the Metropolitan Asylum Managers may use any of their property, real or personal, and their staff, for the execution of any powers or duties conferred or imposed on them under this section.

Power to let hospitals, &c.

86. Any authority or body of persons having the management and control of any hospital, infirmary, asylum, or workhouse may let the same or any part thereof to the Metropolitan Asylum Managers, and enter into and carry into effect contracts with those Managers for the reception, treatment, and maintenance therein of persons suffering from cholera or choleraic diarrhœa within the district of the Managers:

Provided that the power conferred by this section shall not, without the consent of the Local Government Board, be exercised with respect to any asylum under the Metropolitan Poor Act, 1867, or any workhouse.

30 & 31 Vict. c. 6.

Repayment to sanitary authorities of certain expenses.

87. The amount expended in pursuance of the epidemic regulations by any sanitary authority in providing any building for the reception of patients or other persons shall, to such extent as may be determined by the Local Government Board, together with

two thirds of the salaries or remuneration of any officers or servants employed in any such building under this Act, be repaid to such sanitary authority from the metropolitan common poor fund by the receiver of that fund, out of any moneys for the time being in his hands, on the precept of the said Board, to be issued after the production of such evidence in support of the expenditure as they may deem satisfactory, and the said Board may require contributions for the purpose of raising the sums so repayable.

Prevention of Epidemic Diseases.

Mortuaries, &c.

Mortuaries, &c.

Power of local authority to provide mortuaries.

88. Every sanitary authority shall provide and fit up a proper place for the reception of dead bodies before interment (in this Act called a mortuary), and may make byelaws with respect to the management and charges for the use of the same; they may also provide for the decent and economical interment, at charges to be fixed by such byelaws, of any dead body received into a mortuary.

Power of justice in certain cases to order removal of dead body to mortuary.

89.—(1.) Where either—

(*a.*) the body of a person who has died of any infectious disease is retained in a room in which persons live or sleep; or

(*b.*) the body of a person who has died of any dangerous infectious disease is retained without the sanction of the medical officer of health or any legally qualified medical practitioner for more than forty-eight hours, elsewhere than in a room not used at the time as a dwelling-place, sleeping-place, or workroom; or

(*c.*) any dead body is retained in any house or room, so as to endanger the health of the inmates thereof, or of any adjoining or neighbouring house or building,

a justice may, on a certificate signed by a medical officer of health or other legally qualified medical practitioner, direct that the body be removed, at the cost of the sanitary authority, to any available mortuary, and be buried within the time limited by the justice; and may if it is the body of a person who has died of an infectious disease, or if he considers immediate burial necessary, direct that the body be buried immediately, without removal to the mortuary.

(2.) Unless the friends or relations of the deceased undertake to bury and do bury the body within the time so limited, it shall be the duty of the relieving officer to bury such body, and any expense so incurred shall be paid (in the first instance) by the board of guardians of the poor law union, but may be recovered by them in a summary manner from any person legally liable to pay the expense of such burial.

(3.) If any person obstructs the execution of any direction given by a justice under this section, he shall be liable to a fine not exceeding five pounds.

Power of sanitary authority to provide places for post-

90.—(1.) Any sanitary authority may, and if required by the county council shall, provide and maintain a proper building (otherwise than at a workhouse) for the reception of dead bodies during the time required to conduct any post-mortem examination ordered

Mortuaries, &c.

by a coroner or other constituted authority, and may make regulations with respect to the management of such building.

mortem examinations.

(2.) Any such building may be provided in connexion with a mortuary, but this enactment shall not authorise the conducting of any post-mortem examination in a mortuary.

Power to sanitary authorities to unite for providing mortuary.

91. Any sanitary authorities may, with the approval of the county council, execute their duty under this Act with respect to mortuaries and buildings for post-mortem examinations by combining for the purpose thereof, or by contracting for the use by one of the contracting authorities of any such mortuary or building provided by another of such contracting authorities, and may so combine or contract upon such terms as may be agreed upon.

Place for holding inquests.

92. The county council shall provide and maintain proper accommodation for the holding of inquests, and may by agreement with a sanitary authority provide and maintain the same in connexion with a mortuary or a building for post-mortem examinations provided by that authority, or with any building belonging to that authority, and may do so on such terms as may be agreed on with the authority.

Mortuary for unidentified bodies.

93.—(1.) The county council may provide and fit up in London one or two suitable buildings to which dead bodies found in London and not identified, together with any clothing, articles, and other things found with or on such dead bodies, may on the order of a coroner be removed, and in which they may be retained and preserved with a view to the ultimate identification of such dead bodies.

(2.) A Secretary of State may make regulations as to—

(*a.*) the manner in which and conditions subject to which any such bodies shall be removed to any such building, and the payments to be made at such building to persons bringing any unidentified dead body for reception; and

(*b.*) the fees and charges to be paid upon the removal or interment of any such dead body which has been identified after its reception, and the persons by whom such fees and payments are to be made, and the manner and method of recovering the same; and

(*c.*) the disposal and interment of any such bodies.

(3.) The county council may provide at the said buildings all such appliances as they think expedient for the reception and preservation of bodies, and may make regulations (subject to the provisions aforesaid) as to the management of the said buildings and the bodies therein, and as to the conduct of persons employed therein or resorting thereto for the purpose of identifying any body.

(4.) Subject to and in accordance with such regulations as may be made by a Secretary of State, any such body found in London may (on the order in writing of a coroner holding or having jurisdiction to hold the inquest on the same) be removed to any building provided under this section, and subject as aforesaid the inquest on any such body shall be held by the same coroner and in

the same manner as if the said building were within the district of such coroner. *Mortuaries, &c.*

Byelaws as to Houses let in Lodgings.

Byelaws as to Houses let in Lodgings.

Power of sanitary authority to make byelaws as to lodging-houses.

94.—(1.) Every sanitary authority shall make and enforce such byelaws as are requisite for the following matters; (that is to say,)

(*a.*) for fixing the number of persons who may occupy a house or part of a house which is let in lodgings or occupied by members of more than one family, and for the separation of the sexes in a house so let or occupied:

(*b.*) for the registration of houses so let or occupied:

(*c.*) for the inspection of such houses:

(*d.*) for enforcing drainage for such houses, and for promoting cleanliness and ventilation in such houses:

(*e.*) for the cleansing and lime-washing at stated times of the premises:

(*f.*) for the taking of precautions in case of any infectious disease.

(2.) This section shall not apply to common lodging-houses within the Common Lodging Houses Act, 1851, or any Act amending the same. 14 & 15 Vict. c. 28. 16 & 17 Vict. c. 41.

Tents and Vans.

Tents and Vans.

Tents and vans used for human habitation.

95.—(1.) A tent, van, shed, or similar structure used for human habitation, which is in such a state as to be a nuisance or injurious or dangerous to health, or is so overcrowded as to be injurious or dangerous to the health of the inmates, whether or not members of the same family, shall be a nuisance liable to be dealt with summarily under this Act.

(2.) A sanitary authority may make byelaws for promoting cleanliness in, and the habitable condition of tents, vans, sheds, and similar structures used for human habitation, and for preventing the spread of infectious disease by the persons inhabiting the same, and generally for the prevention of nuisances in connexion with the same.

(3.) Where any person duly authorised by a sanitary authority or by a justice has reasonable cause to suppose either—

(*a.*) that any tent, van, shed, or similar structure used for human habitation is in such a state or so overcrowded as aforesaid, or that there is any contravention therein of any byelaw made under this section; or

(*b.*) that there is in any such tent, van, shed, or structure any person suffering from a dangerous infectious disease,

he may enter by day such tent, van, shed, or structure, and examine the same and every part thereof in order to ascertain whether such tent, van, shed, or structure is in such a state or so overcrowded as aforesaid, or whether there is therein any such contravention, or a person suffering from a dangerous infectious disease, and the provisions of this Act with respect to the

Tents and Vans.

entry into any premises by an officer of the sanitary authority shall apply to the entry by any person duly authorised as aforesaid.

(4.) Nothing in this section shall apply to any tent, van, shed, or structure erected or used by any portion of Her Majesty's naval or military forces.

Underground Rooms.

Underground Rooms.

Provisions as to the occupation of underground rooms as dwellings.

96.—(1.) Any underground room, which was not let or occupied separately as a dwelling before the passing of this Act, shall not be so let or occupied unless it possesses the following requisites; that is to say,

(*a*) unless the room is in every part thereof at least seven feet high measured from the floor to the ceiling, and has at least three feet of its height above the surface of the street or ground adjoining or nearest to the room: Provided that, if the width of the area herein-after mentioned is not less than the height of the room from the floor to the said surface of the street or ground, the height of the room above such surface may be less than three feet, but it shall not in any case be less than one foot, and the width of the area need not in any case be more than six feet;

(*b*) unless every wall of the room is constructed with a proper damp course, and, if in contact with the soil, is effectually secured against dampness from that soil;

(*c*) unless there is outside of and adjoining the room and extending along the entire frontage thereof and upwards from six inches below the level of the floor thereof an open area properly paved at least four feet wide in every part thereof: Provided that in the area there may be placed steps necessary for access to the room, and over and across such area there may be steps necessary for access to any building above the underground room, if the steps in each case be so placed as not to be over or across any external window;

(*d*) unless the said area and the soil immediately below the room are effectually drained;

(*e*) unless, if the room has a hollow floor, the space beneath it is sufficiently ventilated to the outer air;

(*f*) unless any drain passing under the room is properly constructed of a gas-tight pipe;

(*g*) unless the room is effectually secured against the rising of any effluvia or exhalation;

(*h*) unless there is appurtenant to the room the use of a water-closet and a proper and sufficient ash-pit;

(*i.*) unless the room is effectually ventilated;

(*j*) unless the room has a fire-place with a proper chimney or flue;

(*k*) unless the room has one or more windows opening directly into the external air with a total area clear of the sash frames equal to at least one tenth of the floor area of the room, and so constructed that one half at least of each window of the room

can be opened, and the opening in each case extends to the top of the window. *Underground Rooms.*

(2.) If any person lets or occupies, or continues to let, or knowingly suffers to be occupied, any underground room contrary to this enactment, he shall be liable to a fine not exceeding twenty shillings for every day during which the room continues to be so let or occupied.

(3.) The foregoing provisions shall at the expiration of six months after the commencement of this Act extend to underground rooms let or occupied separately as dwellings before the passing of this Act, except that the sanitary authority, either by general regulations providing for classes of underground rooms, or on the application of the owner of such room in any particular case, may dispense with or modify any of the said requisites which involve the structural alteration of the building, if they are of opinion that they can properly do so having due regard to the fitness of the room for human habitation, to the house accommodation in the district, and to the sanitary condition of the inhabitants and to other circumstances, but any requisite which was required before the passing of this Act shall not be so dispensed with or modified.

(4.) The dispensations and modifications may be allowed either absolutely or for a limited time, and may be revoked and varied by the sanitary authority, and shall be recorded together with the reasons in the minutes of the sanitary authority.

(5.) If the owner of any room feels aggrieved by a dispensation or modification not being allowed as regards that room, he may appeal to the Local Government Board, and that Board may refuse the dispensation or modification, or allow it wholly or partly, as if they were the sanitary authority. Such allowance may be revoked or varied by the Board, but not by the sanitary authority.

(6.) Where two or more underground rooms are occupied together, and are not occupied in conjunction with any other room or rooms on any other floor of the same house, each of them shall be deemed to be separately occupied as a dwelling within the meaning of this section.

(7.) Every underground room in which a person passes the night shall be deemed to be occupied as a dwelling within the meaning of this section; and evidence giving rise to a probable presumption that some person passes the night in an underground room shall be evidence, until the contrary is proved, that such has been the case.

(8.) Where it is shown that any person uses an underground room as a sleeping-place, it shall, in any proceeding under this section, lie on the defendant to show that the room is not separately occupied as a dwelling.

(9.) For the purpose of this section the expression "underground room" includes any room of a house the surface of the floor of which room is more than three feet below the surface of the footway of the adjoining street, or of the ground adjoining or nearest to the room.

97.—(1.) Any officer of a sanitary authority appointed or determined by that authority for the purpose shall, without any fee or Enforcement of provisions

Underground Rooms.

as to underground rooms.

reward, report to the sanitary authority, at such times and in such manner as the sanitary authority may order, all cases in which underground rooms are occupied contrary to this Act in the district of such authority.

(2.) Any such officer or any other person having reasonable grounds for believing that any underground room is occupied in contravention of this Act may enter and inspect the same at any hour by day; and if admission is refused to any person other than an officer of the sanitary authority the like warrant may be granted by a justice under this Act as in case of refusal to admit any such officer.

(3.) A warrant of a justice authorising an entry into an underground room may authorise the entry between any hours specified in the warrant.

Provision in case of two convictions for unlawfully occupying underground room.

98. Where two convictions for an offence relating to the occupation of an underground room as a dwelling have taken place within a period of three months (whether the persons convicted were or were not the same), a petty sessional court may direct the closing of the underground room for such period as the court may deem necessary, or may empower the sanitary authority of the district permanently to close the same, in such manner as they think fit, at their own cost.

Authorities for execution of Act.

Authorities for Execution of Act.

Definition of sanitary authority. 18 & 19 Vict. c. 120. 48 & 49 Vict. c. 33. 50 & 51 Vict. c. 17.

99.—(1.) Subject to the provisions of this Act, the sanitary authority for the execution of this Act (in this Act referred to as "the sanitary authority") shall be as follows; (namely,)

(*a*) in the City of London the commissioners of sewers; and

(*b*) in each of the parishes mentioned in Schedule (A.) to the Metropolis Management Act, 1855, as amended by the Metropolis Management Amendment Act, 1885, and the Metropolis Management (Battersea and Westminster) Act, 1887, other than Woolwich, the vestry of the parish; and

(*c*) in each of the districts mentioned in Schedule (B.) to the same Act, as so amended, the district board for the district; and

(*d*) in the parish of Woolwich, the local board of health; and

(*e*) in any place mentioned in Schedule (C.) to the Metropolis Management Act, 1855, the board of guardians for such place or for any parish or poor law union of which it forms part, or, if there is no such board of guardians, the overseers of the poor for such place, or for the parish in which it is situate, and the said guardians and overseers respectively shall have the same powers for the purposes of this Act as a vestry or district board have under this Act, and their expenses shall be defrayed in the same manner as the expenses of the execution of the Acts relating to the relief of the poor are defrayed in the said place.

(2.) The area within which this Act is executed by any sanitary authority is in this Act referred to as the district of that authority.

(3.) The purposes for which a committee of a vestry or district board may be appointed under the Metropolis Management Act, 1855, and the Acts amending the same, shall include the purposes of this Act, and the provisions of those Acts with respect to committees shall apply accordingly. *Authorities for execution of Act.*

(4.) Where a sanitary authority appoint a committee for the purposes of this Act, that committee, subject to the terms of their appointment, may serve and receive notices, take proceedings, and empower any officer of the authority to make complaints and take proceedings in their behalf, and otherwise to execute this Act.

(5.) A sanitary authority may acquire and hold land for the purposes of their duties without any licence in mortmain.

Power of county council to prosecute on default of sanitary authority.

100. The county council, on it being proved to their satisfaction that any sanitary authority have made default in doing their duty under this Act with respect to the removal of any nuisance, the institution of any proceedings, or the enforcement of any byelaw, may institute any proceeding and do any act which the authority might have instituted or done for that purpose, and shall be entitled to recover from the sanitary authority in default all such expenses in and about the said proceeding or act as the county council incur, and are not recovered from any other person, and have not been incurred in any unsuccessful proceeding.

Proceedings on complaint to Local Government Board of default of sanitary authority.

101.—(1.) Where complaint is made by the county council to the Local Government Board that a sanitary authority have made default in executing or enforcing any provisions which it is their duty to execute or enforce of this Act, or of any byelaw made in pursuance thereof, the Local Government Board, if satisfied after due inquiry that the authority have been guilty of the alleged default, and that the complaint cannot be remedied under the other provisions of this Act, shall make an order limiting a time for the performance of the duty of such authority in the matter of such complaint. If such duty is not performed by the time limited in the order, the order may be enforced by writ of Mandamus, or the Local Government Board may appoint the county council to perform such duty.

(2.) Where such appointment is made, the county council shall, for the purpose of the execution of their duties under the said appointment, have all the powers of the defaulting sanitary authority, and all expenses incurred by the county council in the execution of the said duties, together with the costs of the previous proceedings, so far as not recovered from any other person, shall be a debt from the sanitary authority in default to the county council, and shall be paid by the sanitary authority out of any moneys or rate applicable to the payment of the expenses of performing the duty in which they have made default.

(3.) For the purpose of recovering such debt the county council, without prejudice to any other power of recovery, shall have the same power of levying the amount by a rate, and of requiring officers of the defaulting authority to pay over money in their

Authorities for execution of Act.

hands, as the defaulting authority would have in the case of expenses legally payable out of a rate raised by that authority.

(4.) The county council shall pay any surplus of the rate so levied to or to the order of the defaulting authority.

(5.) If any loan is required to be raised for the purpose of the execution of their duties under the said appointment, the county council with the consent of the Local Government Board may raise the same, and may for that purpose borrow the required sum in the name of the defaulting authority for the same period, on the same security, and on the same terms as that authority might have borrowed, and the principal and interest of such loan shall be a debt due from the defaulting authority, and shall be secured and may be recovered in like manner as if the loan had been borrowed by that authority.

(6.) The surplus (if any) of any loan not applied for the purpose for which it is raised shall, after payment of the expenses of raising the same, be paid to or to the order of the defaulting authority, and be applied as if it were the surplus of a loan raised by that authority.

Application of Public Health Acts to Woolwich.

102.—(1.) The provisions of the Public Health Acts, which are set out in the Second Schedule to this Act, except so far as they are superseded by this Act, shall extend to the parish of Woolwich, and to the local board of health thereof, in like manner as they apply to any urban sanitary district elsewhere, and the sanitary authority thereof, without prejudice to the existing effect of the Metropolis Management Act, 1855, and the Acts amending the same, or to the powers, duties, and liabilities of the county council and the local board of health of Woolwich under the latter Acts.

(2.) The Woolwich Local Board may borrow for the purposes of this Act in like manner as if those purposes were purposes of the Public Health Acts.

Expenses of execution of Act.

103. The expenses incurred by sanitary authorities in London under this Act shall, save as otherwise in this Act mentioned, be defrayed as follows; (namely,)

In the case of the commissioners of sewers, out of their sewer rate and consolidated rate, or either of such rates:

In the case of any vestry or district board, out of their general rate:

In the case of the local board of health of Woolwich, out of the district fund or general district rate.

Expenses of Metropolitan Asylum Board.

104.—(1.) All expenses incurred by the Metropolitan Asylum Managers in the execution of the provisions of this Act relating to the provision and maintenance of carriages, buildings, and horses, and the conveyance in such carriages of persons suffering from any dangerous infectious disease shall to such extent as the Local Government Board may sanction be defrayed out of the metropolitan common poor fund.

(2.) Save as aforesaid, all expenses incurred by the said Managers in the execution of this Act shall so far as they are not recovered from guardians in pursuance of this Act be defrayed in

the same manner as the expenses mentioned in section thirty-one of the Metropolitan Poor Act, 1867, are to be defrayed under that section; and shall be raised and be recoverable in the same manner as expenses under that Act.

Authorities for execution of Act. 30 & 31 Vict. c. 6.

(3.) The provision of vessels and buildings in pursuance of this Act shall be purposes for which the Metropolitan Asylum Managers may borrow in pursuance of the Metropolitan Poor Act, 1867, and any Acts amending the same.

105.—(1.) The provision of hospitals and of mortuaries under this Act, and the purposes of the epidemic regulations under this Act, shall be purposes for which vestries and district boards are authorised to borrow.

Power of vestries and district boards to borrow.

(2.) A sanitary authority, with the consent of the Local Government Board, may borrow for the purpose of providing, as required or authorised by this Act—

(*a*) sanitary conveniences, lavatories, and ashpits, and

(*b*) premises, apparatus, carriages, and vessels for the disinfection, destruction, and removal of infected articles, and

(*c*) a building for post-mortem examinations and accommodation for the holding of inquests.

(3.) The purposes for which a sanitary authority are authorised under this Act to borrow shall be purposes for which that authority may borrow under the Acts relating to the execution of the other duties of that authority, and, where the consent of the Local Government Board is required and given to any such loan, the consent of any other authority shall not be required.

106.—(1.) Every sanitary authority shall appoint one or more medical officers of health for their district.

Appointment of medical officers of health.

(2.) The same person may, with the sanction of the Local Government Board, be appointed medical officer of health for two or more districts, by the sanitary authorities of such districts; and the Local Government Board shall prescribe the mode of such appointment and the proportions in which the expenses of such appointment and the salary and charges of such officer shall be borne by such authorities.

(3.) Every person appointed or re-appointed after the commencement of this Act as medical officer of health of a district shall (except during the two months next after the time of his appointment, or except in cases allowed by the Local Government Board) reside in such district or within one mile of the boundary thereof, and, if while not so residing as required by this enactment he assumes to act or receives any remuneration as such medical officer of health, he shall cease to hold the office.

(4.) A medical officer of health may exercise any of the powers with which a sanitary inspector is invested.

(5.) The annual report of a medical officer of health to the sanitary authority shall be appended to the annual report of the sanitary authority.

107.—(1.) Every sanitary authority shall appoint an adequate number of fit and proper persons as sanitary inspectors, and may distribute among them the duties to be performed by sanitary

Appointment of sanitary inspectors.

Authorities for execution of Act.

inspectors, and every such inspector shall be a person qualified and competent by his knowledge and experience to perform the duties of his office.

(2.) Where the Local Government Board, on a representation from the county council, and after local inquiry, are satisfied that any sanitary authority have failed to appoint a sufficient number of sanitary inspectors, the Board may order the authority to appoint such number of additional sanitary inspectors and to allow them such remuneration as the order directs, and the sanitary authority shall comply with the order.

(3.) The sanitary inspectors shall report to the sanitary authority the existence of any nuisances; and the sanitary authority shall cause a book to be kept in which shall be entered all complaints made of any infringement of the provisions of this Act or of any byelaws made thereunder, or of nuisances; and every such inspector shall forthwith inquire into the truth or otherwise of such complaints, and report upon the same, and such report shall be laid before the sanitary authority at their next meeting, and together with the order of the sanitary authority thereon shall be entered in a book, which shall be kept at their office, and shall be open at all reasonable times to the inspection of any inhabitant of the district, and of any officer either generally or specially authorised for the purpose by the county council; and it shall be the duty of such inspector, subject to the direction of the sanitary authority, or of a committee thereof, to make complaints before justices and take legal proceedings for the punishment of any person for any offence under this Act or any such byelaws.

Provisions as to medical officers and sanitary inspectors.

108.—(1.) Subject to the provisions of this Act as to existing officers, the Local Government Board shall have the same powers as they have in the case of a district medical officer of a poor law union with regard to the qualification, appointment, duties, salary, and tenure of office of every medical officer of health and sanitary inspector, and one-half of the salary of every such medical officer and sanitary inspector shall be paid by the county council out of the Exchequer contribution account in accordance with section twenty-four of the Local Government Act, 1888, and that section shall be construed as if in sub-section two thereof the reference to the Public Health Act, 1875, included a reference to this Act.

51 & 52 Vict. c. 41.

(2.) Provided that—

(*a.*) A medical officer of health shall be legally qualified for the practice of medicine, surgery, and midwifery, and also either be registered in the Medical Register as the holder of a diploma in sanitary science, public health, or State medicine under section twenty-one of the Medical Act, 1886, or have been during three consecutive years preceding the year one thousand eight hundred and ninety-two a medical officer of a district or combination of districts in London or elsewhere with a population according to the last published census of not less than twenty thousand, or have before the passing of the Local Government Act, 1888, been for not less than three years a medical officer or inspector of the Local Government Board; and

49 & 50 Vict. c. 48.

(*b.*) A medical officer of health shall be removable by the sanitary authority with the consent of the Local Government Board, or by that Board, and not otherwise: *Authorities for execution of Act.*
Provided that the Local Government Board shall take into consideration every representation made by the sanitary authority for the removal of any medical officer, whether based on the general interests of the district, on the conduct of such officer, or on any other ground; and

(*c.*) Any such medical officer shall not be appointed for a limited period only; and

(*d.*) A sanitary inspector appointed after the first day of January one thousand eight hundred and ninety-five shall be holder of a certificate of such body as the Local Government Board may from time to time approve, that he has by examination shown himself competent for such office, or shall have been, during three consecutive years preceding the year one thousand eight hundred and ninety-five, a sanitary inspector or inspector of nuisances of a district in London, or of an urban sanitary district out of London containing according to the last published census a population of not less than twenty thousand inhabitants.

109. A sanitary authority, where occasion requires, may, with the sanction of the Local Government Board, make any temporary arrangement for the performance of all or any of the duties of a medical officer of health or sanitary inspector, and any person appointed by virtue of any such arrangement to perform those duties, or any of them, shall, subject to the terms of his appointment, have all the powers, duties, and liabilities of a medical officer of health or sanitary inspector as the case may be. Temporary arrangement for duties of medical officer or sanitary inspector.

110.—(1.) For the purposes of this Act any vessel lying in any river or other water within the district of a sanitary authority shall (subject to the provisions of this Act with respect to the port sanitary authority of the port of London) be subject to the jurisdiction of that authority in the same manner as if it were a house within such district. Jurisdiction as to ships.

(2.) The master of any such vessel shall be deemed for the purposes of this Act to be the occupier of such vessel.

(3.) This section shall not apply to any vessel under the command or charge of any officer bearing Her Majesty's commission, or to any vessel belonging to any foreign government.

Port Sanitary Authority of Port of London.

111. The Mayor, Commonalty, and Citizens of the City of London shall continue to be the port sanitary authority of the port of London, as established for the purposes of the laws relating to the customs of the United Kingdom, and shall pay out of their corporate funds all their expenses as such port sanitary authority. *Port Sanitary Authority of Port of London.* Port sanitary authority of port of London.

112.—(1.) The Local Government Board may by order assign to the port sanitary authority of the port of London any powers, rights, duties, capacities, liabilities, or obligations of a sanitary Powers of port sanitary authority of port of London.

Port Sanitary Authority of Port of London.

38 & 39 Vict. c. 55.

authority under this Act, or of a sanitary authority under the Public Health Act, 1875, and any Act extending or amending the same respectively, with such modifications and additions (if any) as may appear to the Board to be required, and the order may extend to the said port a byelaw made under this Act otherwise than by the port sanitary authority, and any such byelaw until so extended shall not extend to the said port; and the said port sanitary authority shall have the powers, rights, duties, capacities, liabilities, and obligations assigned by such order in and over all waters within the limits of the said port, and also in and over such districts or parts of districts of riparian authorities as may be specified in any such order, and the order may extend this Act, and any part thereof, and any byelaw made thereunder, to such waters and districts and parts of districts when not situate in London.

(2.) The said port sanitary authority may acquire and hold land for the purposes of their constitution without any licence in mortmain.

(3.) The said port sanitary authority may, with the sanction of the Local Government Board, delegate to any riparian authority the exercise of any powers conferred on the port sanitary authority by the order of the Board, but except in so far as such delegation extends no other authority shall exercise any powers conferred on such port sanitary authority by the order of the Board within the limits of the port of London.

(4.) "Riparian authority" in this section means any sanitary authority under this Act and any sanitary authority under the Public Health Act, 1875, whose district or part of whose district forms part of or abuts on any part of the said port, and any conservators, commissioners, or other persons having authority in or over any part of the said port.

Application of Public Health Acts as to Cholera, &c.

Powers of Local Government Board as to epidemic diseases.

113. The sections of the Public Health Acts (relating to regulations and orders of the Local Government Board with respect to cholera, or other epidemic, endemic, or infectious diseases) set out in the First Schedule to this Act, shall extend to London, and shall apply in like manner as if a sanitary authority under this Act were a local authority within the meaning of those sections.

Byelaws

Byelaws.

Byelaws.

114. All byelaws made by the county council or by any sanitary authority under this Act shall be made subject and according to the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act, 1875, and set forth in the First Schedule to this Act; and those sections shall apply in like manner as if the county council or sanitary authority were a local authority:

38 & 39 Vict. c. 55.

Provided that the county council, in making any byelaws which will have to be observed and enforced by any sanitary authority, shall consider any representations made to the council by that authority, and not less than two months before applying to the

Local Government Board for the confirmation of any such byelaws shall send a copy of the proposed byelaws to every such authority. *Byelaws.*

Legal Proceedings.

Legal Proceedings.

115.—(1.) Where a sanitary authority have by virtue of this Act power to examine or enter any premises, whether a building, vessel, tent, van, shed, structure, or place open or enclosed, they may examine or enter by any members of the authority, or by any officers or persons authorised by them, either generally or in any particular case. General provisions as to powers of entry.

(2.) Where a sanitary authority, or their officers, or any persons acting under such authority, or under any of their officers, have by virtue of any enactment in this Act, a right to enter any premises, whether a building, vessel, tent, van, shed, structure, or place open or enclosed, then, subject to any special provisions contained in such enactment, the following provisions shall apply, that is to say—

(*a.*) The person so claiming the right to enter shall, if required, produce some written document, properly authenticated on the part of the sanitary authority, showing the right of the person producing the same to enter ;

(*b.*) Any person refusing or failing to admit any person who is authorised and claims to enter the premises shall if—

(i.) the entry is for the purpose of carrying into effect an order of a court of summary jurisdiction, and either is stated in the said document to be for that purpose or is claimed by an officer of the sanitary authority, or

(ii.) it is proved that the refusal or failure is with intent to prevent the discovery of some contravention of this Act or any byelaw under this Act, or

(iii.) the refusal or failure is declared by the enactment conferring the right of entry to render the person refusing or failing subject to a fine,

be liable to a fine not exceeding five pounds.

(3.) If a justice is satisfied by information on oath—

(*a.*) that there is reasonable ground for such entry, and that there has been a refusal or failure to admit to such premises, and either that reasonable notice of the intention to apply to a justice for a warrant has been given, or that the giving of notice would defeat the object of the entry, or

(*b.*) that there is reasonable cause to believe that there is on the said premises some contravention of this Act or of any byelaw under this Act, and that an application for admission or notice of an application for the warrant would defeat the object of the entry,

the justice may by warrant under his hand authorise the sanitary authority or their officers or other person, as the case may require, to enter the premises, and if need be by force, with such assistants as they or he may require, and there execute their duties under this Act.

Legal Proceedings.

(4.) Any person obstructing the execution of any such warrant, or of any warrant granted by a justice in pursuance of any other provision of this Act, and authorising the entry by the sanitary authority or their officer or any other person into any premises, shall be liable to a fine not exceeding twenty pounds, or, in a case where a greater punishment is imposed by this Act or any other enactment, either to such fine or to that greater punishment.

(5.) The warrant shall continue in force until the purpose for which the entry is necessary has been satisfied.

(6.) Where a house or part of a house is alleged to be overcrowded so as to be a nuisance liable to be dealt with summarily under this Act, a warrant under this section may authorise an entry into such house or part of a house at any hour of the day or night specified in the warrant.

Penalty on obstructing execution of Act.

116.—(1.) If any person—

(*a*) wilfully obstructs any member or officer of a sanitary authority or any person duly employed in the execution of this Act, or,

(*b*) destroys, pulls down, injures, or defaces any byelaw, notice, or other matter put up by authority of the Local Government Board or county council, or of a sanitary authority, or any board or other thing upon which such byelaw, notice, or matter is placed or inscribed, or

(*c*) wilfully damages any works or property belonging to any sanitary authority,

he shall be liable to a fine not exceeding five pounds.

(2.) Where the occupier of any premises prevents the owner thereof from obeying or carrying into effect any provision of this Act, a petty sessional court, on complaint, shall by order require such occupier to permit the execution of any works which appear to the court necessary for the purpose of obeying or carrying into effect such provision of this Act; and if within twenty-four hours after service on him of the order such occupier fails to comply therewith, he shall be liable to a fine not exceeding five pounds for every day during the continuance of such non-compliance.

(3.) If the occupier of any premises, when requested by or on behalf of the sanitary authority to state the name and address of the owner of the premises, refuses or wilfully omits to disclose or wilfully misstates the same, he shall (unless he shows cause to the satisfaction of the court for his refusal) be liable to a fine not exceeding five pounds.

Summary proceedings for offences, expenses, &c.

117.—(1.) All offences, fines, penalties, forfeitures, costs, and expenses under this Act or any byelaw made under this Act directed to be prosecuted or recovered in a summary manner, or the prosecution or recovery of which is not otherwise provided for, may be prosecuted and recovered in manner directed by the Summary Jurisdiction Acts.

(2.) Proceedings for the recovery of a demand not exceeding fifty pounds, which a sanitary authority or any person are or is empowered to recover in a summary manner, may, at the option of the authority or person, be taken in the county court as if such demand were a debt.

(3.) A proceeding under this Act shall not be taken by the county council against a sanitary authority save with the sanction of the Local Government Board, unless such proceeding is for the recovery of expenses or of money due from the sanitary authority to the council. *Legal Proceedings.*

118. Any person charged with an offence under this Act, and the wife or husband of such person, may, if such person thinks fit, be called, sworn, examined, and cross-examined as an ordinary witness in the case. Evidence by defendant.

119.—(1.) All fines recovered under this Act shall, notwithstanding anything in any other Act, be paid to the sanitary authority and applied by them in aid of their expenses in the execution of this Act, except that any fine imposed on the sanitary authority shall be paid to the county council. Application of fines and disposal of things forfeited.

(2.) All things forfeited under this Act may be sold or disposed of in such manner as the court ordering the forfeiture may direct.

120.—(1.) Where any nuisance under this Act appears to be wholly or partially caused by the acts or defaults of two or more persons, the sanitary authority or other complainant may institute proceedings against any one of such persons, or may include all or any two or more of them in one proceeding; and any one or more of such persons may be ordered to abate the nuisance, so far as it appears to the court having cognizance of the case to be caused by his or their acts or defaults, or may be prohibited from continuing any acts or defaults which in the opinion of the court contribute to the nuisance, or may be fined or otherwise punished, notwithstanding that the acts or defaults of any one of such persons would not separately have caused a nuisance; and the costs may be distributed as to the court may appear fair and reasonable. Proceedings in certain cases against nuisances.

(2.) Proceedings against several persons included in one complaint shall not abate by reason of the death of any among the persons so included, but all such proceedings may be carried on as if the deceased person had not been originally so included.

(3.) Where some only of the persons by whose act or default any nuisance has been caused have been proceeded against under this Act, they shall, without prejudice to any other remedy, be entitled to recover in a summary manner from the other persons who were not proceeded against a proportionate part of the costs of and incidental to such proceedings and abating such nuisance, and of any fine and costs ordered to be paid by the court in such proceedings.

(4.) Whenever in any proceeding under the provisions of this Act relating to nuisances it becomes necessary to mention or refer to the owner or occupier of any premises, it shall be sufficient to designate him as the "owner" or "occupier" of such premises, without name or further description.

121. Any costs and expenses which are recoverable under this Act by a sanitary authority from an owner of premises may be recovered from the occupier for the time being of such premises; and the owner shall allow the occupier to deduct any money which he pays under this enactment out of the rent from time to time Recovery of expenses by sanitary authority from owner or occupier.

Legal Proceedings.

becoming due in respect of the premises, as if the same had been actually paid to the owner as part of the rent: Provided that—

(*a.*) the occupier shall not be so required to pay any further sum than the amount of rent which either is for the time being due from him, or which after demand from him of such costs or expenses, and notice not to pay any rent without first deducting the same, becomes payable by him, unless he refuses, on the application of the sanitary authority, truly to disclose the amount of his rent and the name and address of the person to whom such rent is payable; but the burden of proof that the sum demanded from any such occupier is greater than the aforesaid amount of rent shall lie on such occupier; and

(*b.*) nothing in this section shall affect any contract between any owner and occupier of any premises whereby the occupier agrees to pay or discharge all rates, dues, and sums of money payable in respect of such premises, or shall affect any contract whatsoever between landlord and tenant.

Justice to act though member of sanitary authority or liable to contribute.

122. A judge or justice of the peace shall not be incapable of acting in cases arising under this Act by reason of his being a member of any sanitary authority, or by reason of his being, as one of several ratepayers, or as one of any other class of persons, liable in common with the others to contribute to or to be benefited by any rate or fund, out of which any expenses incurred by a sanitary authority are to be defrayed.

Appearance of sanitary authority in legal proceedings.

123. The county council or a sanitary authority may appear before any court or in any legal proceeding by their clerk, or by any officer or member authorised generally or in respect of any special proceeding by resolution of such council or authority and their clerk, or any officer or member so authorised, shall be at liberty to institute and carry on any proceeding which the county council or sanitary authority are authorised to institute and carry on under this Act.

Protection of sanitary authority and their officers from personal liability.

124. No matter or thing done, and no contract entered into by the county council or any sanitary authority, and no matter or thing done by any member of such council or authority, or by any officer of such council or authority or other person whomsoever acting under the direction of such council or authority, shall, if the matter or thing were done or the contract were entered into bonâ fide for the purpose of executing this Act, subject them or any of them personally to any action, liability, claim, or demand whatsoever; and any expense incurred by the county council or any such authority, member, officer, or other person acting as last aforesaid, shall be borne and repaid out of the rate applicable by that council or authority to the purposes of this Act:

Provided that nothing in this section shall exempt any member of the county council or of any such authority from liability to be surcharged with the amount of any payment which may be disallowed by the auditor in the accounts of such council or authority, and which that member authorised or joined in authorising.

Appeal.

Appeal.

125. Any person who deems himself aggrieved by any conviction or order made by a court of summary jurisdiction on determining any information or complaint under this Act may, save as otherwise provided in this Act, appeal therefrom to a court of quarter sessions.

Appeal to quarter sessions.

126. Any appeal to the county council against a notice or act of a sanitary authority under this Act shall be conducted in accordance with sections two hundred and eleven and two hundred and twelve of the Metropolis Management Act, 1855, which sections, as modified by the Local Government Act, 1888, are set out in the First Schedule to this Act.

Provision as to appeals to county council. 18 & 19 Vict. c. 120.

Notices.

Notices.

127.—(1.) Notices, orders, and other such documents under this Act shall be in writing; and notices and documents other than orders, when issued by the county council or a sanitary authority, shall be sufficiently authenticated if signed by their clerk or by the officer by whom the same are given or served.

Authentication of notices, &c.

(2.) Orders shall be under the seal of the council or authority duly authenticated.

128.—(1.) Any notice, order, or other document required or authorised to be served under this Act may be served by delivering the same or a true copy thereof either to or at the usual or last known residence in England of the person to whom it is addressed, or, where addressed to the owner or occupier of premises, then to some person on the premises, or, if there is no person on the premises who can be so served, then by fixing the same or a true copy thereof on some conspicuous part of the premises; it may also be served by sending the same or a true copy thereof by post addressed to a person at such residence or premises as above mentioned.

Service of notices.

(2.) Any notice required or authorised for the purposes of this Act to be served on a sanitary authority or on the county council shall be deemed to be duly served if in writing delivered at, or sent by post to, the office of the authority or council, addressed to such authority or council, or their clerk.

(3.) Any notice by this Act required to be given to or served on the owner or occupier of any premises may be addressed by the description of the "owner" or "occupier" of the premises (naming them) in respect of which the notice is given or served, without further name or description.

Miscellaneous Provisions.

Miscellaneous Provisions.

129. Sections two hundred and ninety-three to two hundred and ninety-six of the Public Health Act, 1875, which are set forth in the First Schedule to this Act, shall apply to all inquiries which the Local Government Board may make in pursuance of or for the purposes of this Act.

Inquiries by Local Government Board. 38 & 39 Vict. c. 55.

Miscellaneous Provisions.

Forms. 42 & 43 Vict. c. 49.

130. The forms in the Third Schedule to this Act, or forms to the like effect, varied as circumstances may require, may, unless other forms are prescribed under the Summary Jurisdiction Act, 1879, be used and shall be sufficient for all purposes.

Provision for apportionment of certain expenses between hamlet of Penge and remainder of Lewisham district.

131. Where the whole or any part of any expense incurred by the Lewisham District Board of Works, in pursuance of the epidemic regulations, may, under this Act, be repaid to that board out of the metropolitan common poor fund, the amount to be so repaid when ascertained shall be apportioned between the hamlet of Penge and the remainder of the Lewisham district in proportion to the rateable value of such hamlet and remainder, according to the valuation lists in force at the date of the apportionment, and the amount apportioned to the hamlet of Penge shall be repaid to the district board by the board of guardians for the Croydon Union out of the common fund of the union, in pursuance of a precept of the Local Government Board to be issued after the like proceedings and in the like manner as in the case of a repayment from the metropolitan common poor fund; and the amount apportioned to the remainder of the Lewisham district shall be repaid to the district board out of the metropolitan common poor fund.

Extent of Act.

132. This Act shall (save as otherwise expressly provided) extend only to London:

Provided that this Act shall extend to places elsewhere so far as is necessary for giving effect to any provisions thereof in their application to London and to any places to which such provisions are expressly applied.

City of London.

City of London.

Application of Act to City.

133. In the application of this Act to the City of London the following modifications shall be made:

(*a.*) There shall be no appeal under this Act from the commissioners of sewers to the county council:

(*b.*) The byelaws made by the county council under this Act shall not extend to the city:

(*c.*) The county council shall not have power under this Act to require the commissioners of sewers to provide and maintain a building for post-mortem examinations:

(*d.*) The powers of the county council under this Act to proceed in case of default of a sanitary authority shall not extend to the commissioners of sewers.

Power of city police to proceed in certain cases against nuisances.

134. Where it is proved to the satisfaction of the Local Government Board that the commissioners of sewers have made default in doing their duty in relation to nuisances under this Act, the Board may authorise any officer of police of the city of London to institute any proceeding which the commissioners might institute with regard to such nuisances, and that officer may recover from the commissioners in a summary manner or in the county court or High Court any expenses incurred by him, and not paid by the person proceeded against. Such officer of police shall not for the purpose of this section be at liberty to

enter any house or part of a house used as the dwelling of any person without either such person's consent, or the warrant of a justice. *City of London.*

Proceedings on complaint to Local Government Board of default of Commissioners of Sewers.

135.—(1.) Where complaint is made to the Local Government Board that the commissioners of sewers have made default in executing or enforcing any provisions of this Act, the Local Government Board, if satisfied, after due inquiry, that those commissioners have been guilty of the alleged default, shall make an order limiting a time for the performance of their duty in the matter of such complaint. If the duty is not performed by the time limited in the order, the order may be enforced by writ of Mandamus, or the Local Government Board may appoint some person to perform the duty, and shall by order direct that the expenses of performing the same, together with a reasonable remuneration to the person appointed for superintending the performance, and amounting to a sum specified in the order, together with the costs of the proceedings, shall be paid by the commissioners of sewers, and any order made for the payment of such expenses and costs may be removed into the High Court, and enforced as an order of that court.

(2.) Any person so appointed shall, in the performance and for the purposes of the said duty, be invested with all the powers of the commissioners of sewers other than (save as herein-after provided) the powers of levying rates; and the Local Government Board may by order change any person so appointed.

(3.) Any sum specified in an order of the Local Government Board for payment of the expenses of performing the duty of the commissioners of sewers, together with the costs of the proceedings, shall be deemed to be expenses properly incurred by those commissioners, and to be a debt due from them, and payable out of any moneys in their hands or the hands of their officers, or out of any rate applicable to the payment of any expenses properly incurred by the commissioners (which rate is in this section referred to as "the local rate"). If the commissioners refuse to pay any such debt for a period of fourteen days after demand, the Local Government Board may by order empower any person to levy, by and out of the local rate, such sum (to be specified in the order) as may, in the opinion of the Local Government Board, be sufficient to defray the debt, and all expenses incurred in consequence of the nonpayment thereof.

(4.) Any person so empowered shall have the same powers of levying the local rate, and requiring all officers of the commissioners of sewers to pay over any money in their hands, as the commissioners would have in the case of expenses legally payable out of a local rate to be raised by them; and the said person, after repaying all sums of money so due in respect of the order, shall pay the surplus, if any (the amount to be ascertained by the Local Government Board), to or to the order of the commissioners of sewers.

(5.) The Local Government Board may certify the amount of expenses incurred, or an estimate of the expenses about to be incurred, by any person appointed by the Board under this section

City of London.

to perform the duty of the commissioners; also, the amount of any loan required to defray any expenses so incurred, or estimated as about to be incurred; and the certificate of the Board shall be conclusive as to all matters to which it relates.

(6.) Whenever the Local Government Board so certifies a loan to be required, that Board, or the person so appointed, may, by any instrument duly executed, charge the local rate with the repayment of the principal and interest due in respect of the loan, and every such charge shall have the same effect as if the commissioners of sewers were empowered to raise the loan on the security of the local rate, and had duly executed an instrument charging the same on that rate.

(7.) Any principal money or interest for the time being due in respect of a loan under this section shall be a debt due from the commissioners of sewers, and, in addition to any other remedies, may be recovered in the manner in which a debt due from those commissioners may be recovered in pursuance of this section.

(8.) The surplus (if any) of any such loan, after payment of the expenses aforesaid, shall, on the amount thereof being certified by the Local Government Board, be paid to or to the order of the commissioners of sewers.

(9.) "Expenses," for the purposes of this section, shall include all sums payable under this section by or by the order of the Local Government Board, or the person appointed by that Board.

Saving Clauses.

Saving Clauses.

Saving for water rights.

136. Nothing in this Act shall be construed to authorise any sanitary authority to injuriously affect the navigation of any river or canal, or to divert or diminish any supply of water of right belonging to any river or canal; or to injuriously affect any reservoir, canal, river, or stream, or the feeders thereof, or the supply, quality, or fall of water, contained in any reservoir, canal, river, stream, or in the feeders thereof, in cases where any person would, if this Act had not been passed, have been entitled by law to prevent or be relieved against the injuriously affecting of such reservoir, canal, river, stream, feeders, or such supply, quality, or fall of water, unless the sanitary authority first obtain the consent in writing of the person so entitled as aforesaid.

Saving for Thames Conservators, 33 & 34 Vict. c. cxlix.

137. Nothing in this Act shall affect any power of the Conservators of the Thames under the Thames Navigation Act, 1870, or otherwise.

Powers of Act to be cumulative.

138. All powers, rights, and remedies given by this Act shall be in addition to and not in derogation of any other powers, rights, and remedies conferred by any Act of Parliament, law, or custom, and all such other powers, rights, and remedies may be exercised and put in force in the same manner and by the same authority as if this Act had not passed.

Temporary Provisions.

Temporary Provisions.

Existing officers.

139.—(1.) In the case of any medical officer of health or inspector of nuisances who holds office under an appointment made

Temporary Provisions.

before the commencement of this Act (in this section referred to as an existing officer), the provisions of this Act with respect to his salary and tenure of office shall be qualified as follows; that is to say,

(*a.*) Where a portion of his salary is paid by the county council out of the Exchequer contribution account, the Local Government Board shall have the same powers as they have in the case of a district medical officer of a poor law union with regard to the qualification, appointment, duties, salary, and tenure of office of such officer:

(*b.*) In any other case the Local Government Board may prescribe the qualification and duties of a medical officer of health:

(*c.*) Subject to the said powers of the Local Government Board, the sanitary authority may make such payments as they think fit on account of the remuneration and expenses of such officer, and every such officer shall be removable by the sanitary authority at their pleasure:

(*d.*) Every such inspector of nuisances shall be called a sanitary inspector.

(2.) The requirements of this Act with respect to the qualification of medical officers shall not apply to medical officers appointed before the first day of January one thousand eight hundred and ninety-two; and this Act shall not prevent any person who at the commencement of this Act is both a district medical officer of a union and a medical officer of health from continuing to hold those appointments in like manner as if this Act had not been passed.

Term of office of existing members of Woolwich board.

140. Those members of the Woolwich Local Board whose term of office, if this Act had not been passed, would have expired in the month of August in any year, shall go out of office on the fifteenth day of April in the same year.

Interpretation.

Interpretation.

Interpretation of terms.

141. In this Act, unless the context otherwise requires,—

The expression "London" means the administrative county of London:

The expression "county council" means the London County Council:

The expression "the Metropolitan Asylum Managers" means the Managers of the Metropolitan Asylum District:

The expression "street" includes any highway, and any public bridge, and any road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not, and whether or not there are houses in such street:

The expression "premises" includes messuages, buildings, lands, easements, and hereditaments of any tenure, whether open or enclosed, whether built on or not, and whether public or private, and whether maintained or not under statutory authority:

Interpretation.

The expression "house" includes schools, also factories and other buildings in which persons are employed:

The expressions "building" and "house" respectively include the curtilage of a building or house, and include a building or house wholly or partly erected under statutory authority:

The expression "bakehouse" means any place in which are baked bread, biscuits, or confectionery, from the baking or selling of which a profit is derived:

The expression "vessel" includes a boat and every description of vessel used in navigation:

The expression "hospital" means any premises or vessels for the reception of the sick, whether permanently or temporarily applied for that purpose, and includes an asylum of the Metropolitan Asylum Managers:

The expression "master" means in the case of a building or part of a building, a person in occupation of or having the charge, management, or control of the building, or part of the building, and in the case of a house the whole of which is let out in separate tenements, or in the case of a lodging-house the whole of which is let to lodgers, includes the person receiving the rent payable by the tenants or lodgers either on his own account or as the agent of another person, and in the case of a vessel means the master or other person in charge thereof:

The expression "house refuse" means ashes, cinders, breeze, rubbish, night-soil, and filth, but does not include trade refuse:

The expression "trade refuse" means the refuse of any trade, manufacture, or business, or of any building materials:

The expression "street refuse" means dust, dirt, rubbish, mud, road-scrapings, ice, snow, and filth:

The expression "owner" means the person for the time being receiving the rackrent of the premises in connexion with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such premises were let at a rackrent:

The expression "rackrent" means rent which is not less than two-thirds of the full annual value of the premises out of which the rent arises; and the full annual value shall be taken to be the annual rent which a tenant might reasonably be expected, taking one year with another, to pay for the premises, if the tenant undertook to pay all usual tenant's rates and taxes, and tithe commutation rentcharge (if any), and if the landlord undertook to bear the cost of the repairs, and insurance, and the other expenses (if any) necessary to maintain the premises in a state to command such rent:

The expression "slaughterer of cattle or horses" means a person whose business it is to kill any description of cattle, or horses, asses, or mules, for the purpose of the flesh being used as butcher's meat; and the expression "slaughter-house" means any building or place used for the purpose of such business:

The expression "knacker" means a person whose business it is to kill any horse, ass, mule, or cattle which is not killed for

the purpose of the flesh being used as butcher's meat; and the expression "knacker's yard" means any building or place used for the purpose of such business: *Interpretation.*

The expression "cattle" includes sheep, goats, and swine:

The expression "source of water supply" means any stream, reservoir, aqueduct, pond, well, tank, cistern, pump, fountain, or other work or means for the supply of water, whether actually used or capable of being used for the supply of water or not:

The expression "sanitary convenience" includes urinals, water-closets, earth closets, privies, and any similar conveniences:

The expression "day" means the period between six o'clock in the morning and the succeeding nine o'clock in the evening:

The expression "ashpit" means any ashpit, dust-bin, ash-tub, or other receptacle for the deposit of ashes or refuse matter:

The expression "cistern" includes a water-butt:

The expression "dairy" includes any farm, farmhouse, cowshed, milk-store, milk-shop, or other place from which milk is supplied, or in which milk is kept for purposes of sale:

The expression "dairyman" includes any cowkeeper, purveyor of milk, or occupier of a dairy.

Repeal. *Repeal.*

142.—(1.) The Acts specified in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule, and shall be so repealed as from the date in that schedule mentioned, and where no date is mentioned as from the commencement of this Act; Repeal of enactments in schedule.

(2.) Provided that—

(*a*) where any enactment in the said schedule extends beyond London, such enactment shall not unless otherwise expressed be deemed to be hereby repealed, so far as it applies beyond London:

(*b*) all securities given under and all orders, byelaws, rules, regulations, and notices duly made or issued under or having effect in pursuance of any Act hereby repealed shall be of the same validity and effect as if they had been given, made, or issued under this Act, and any penalties recoverable under any such order, byelaw, rule, regulation, or notice may be recovered as if they were imposed by byelaws under this Act.

(3.) Where the county council or a sanitary authority are required by this Act to make byelaws for any purpose for which there are no byelaws of the council or authority in force at the commencement of this Act, the first byelaws made by the county council or sanitary authority for that purpose under this Act shall be submitted to the Local Government Board for sanction not later than six months after the commencement of this Act.

Coltman v. Hill 1897. 1 Q.B. 396 by-laws under repealed Slaughter-houses Act enforced.

(4.) Any enactment expressed in the Fourth Schedule to this Act to be repealed as from the coming into operation of any byelaw made for the like object shall, although no such byelaw is made, be

Repeal.

repealed on the expiration of twelve months next after the commencement of this Act, or such later day, not exceeding eighteen months from such commencement, as may be fixed by Order in Council.

38 & 39 Vict. c. 55. 29 & 30 Vict. c. 90. 35 & 36 Vict. c. 79.

(5.) For the removal of doubts it is hereby declared that so much of the Public Health Act, 1875, as re-enacts sections fifty-one and fifty-two of the Sanitary Act, 1866, and sections thirty-four to thirty-six of the Public Health Act, 1872, extends to London.

(6.) Officers appointed under any enactment hereby repealed shall continue in office in like manner as if they were appointed in pursuance of this Act, subject nevertheless to the provisions of this Act respecting existing officers.

(7.) Where in any enactment or in any order made by a Secretary of State or by the Local Government Board, and in force at the time of the passing of this Act, or in any document, any Act or any provisions of an Act are mentioned or referred to which relate to London and are repealed by this Act, such enactment, order, or document shall be read as if this Act or the corresponding provisions of this Act were therein mentioned or referred to instead of such repealed provisions, and as if a sanitary authority under this Act were substituted for any nuisance authority mentioned in such repealed provisions.

Commencement of Act.

143. This Act shall come into operation on the first day of January next after the passing thereof.

Short title.

144. This Act may be cited as the Public Health (London) Act 1891.

SCHEDULES.

FIRST SCHEDULE.

ENACTMENTS APPLIED.

34 & 35 Vict. c. 113.

Section 33 *of the Metropolis Water Act*, 1871.

Absence of proper water fittings in premises to be a nuisance.

33. The absence in respect of any premises of the prescribed fittings after the prescribed time shall be a nuisance, within section 11 and sections 12–19 (inclusive) of the Nuisances Removal Act for England, 1855, and within all provisions of the same or any other Act applying, amending, or otherwise relating to those sections; and that nuisance, if in any case proved to exist, shall be presumed to be such as to render the premises unfit for human habitation within section 13 of the Nuisances Removal Act for England, 1855, unless and until the contrary is shown to the satisfaction of the justices acting under that section.

38 & 39 Vict. c. 55.

Sections 108 *and* 115 *of the Public Health Act*, 1875, *relating to Nuisances out of the District.*

Power to proceed where cause of nui-

108. Where a nuisance under this Act within the district of a local authority appears to be wholly or partially caused by some act or default

committed or taking place without their district, the local authority may take or cause to be taken against any person in respect of such act or default any proceedings in relation to nuisances by this Act authorised, with the same incidents and consequences, as if such act or default were committed or took place wholly within their district; so, however, that summary proceedings shall in no case be taken otherwise than before a court having jurisdiction in the district where the act or default is alleged to be committed or take place. Nuisance arises without district.

This section shall extend to the metropolis so far as to authorise proceedings to be taken under it by any nuisance authority in the metropolis in respect of any nuisance within the area of their jurisdiction caused by an act or default committed or taking place within the district of a local authority under this Act; or by any such local authority in respect of any nuisance within their district caused by an act or default committed or taking place within the jurisdiction of any such nuisance authority.

115. Where any house, building, manufactory, or place which is certified in pursuance of the last preceding section to be a nuisance or injurious to the health of any of the inhabitants of the district of an urban authority is situated without such district, such urban authority may take or cause to be taken any proceedings by that section authorised in respect of the matters alleged in the certificate, with the same incidents and consequences, as if the house, building, manufactory, or place were situated within such district; so, however, that summary proceedings shall not in any case be had otherwise than before a court having jurisdiction in the district where the house, building, manufactory, or place is situated. Power to proceed where nuisance arises from offensive trade carried on without district.

This section shall extend to the metropolis so far as to authorise proceedings to be taken under it by any nuisance authority in the metropolis in respect of any house, building, manufactory, or place which is certified as aforesaid to be a nuisance or injurious to the health of any of the inhabitants within the area of their jurisdiction, and is situated within the district of a local authority under this Act; or by any urban authority in respect of any house, building, manufactory, or place which is certified as aforesaid to be a nuisance or injurious to the health of any of the inhabitants of their district, and is situated within the jurisdiction of any such nuisance authority.

Sections 130, 134, 135, *and* 140 *of the Public Health Act*, 1875, *and section* 2 *of the Public Health Act*, 1889, *relating to regulations and orders of the Local Government Board with respect to cholera, or other epidemic, endemic, or infectious diseases.* 38 & 39 Vict. c. 55. 52 & 53 Vict. c. 64.

130. The Local Government Board may from time to time make, alter, and revoke such regulations as to the said Board may seem fit, with a view to the treatment of persons affected with cholera, or any other epidemic, endemic, or infectious disease, and preventing the spread of cholera and such other diseases as well on the seas, rivers, and waters of the United Kingdom, and on the high seas within three miles of the coasts thereof, as on land; and may declare by what authority or authorities such regulations shall be enforced and executed. Regulations so made shall be published in the "London Gazette," and such publication shall be for all purposes conclusive evidence of such regulations. Power of Local Government Board to make regulations.

Any person wilfully neglecting or refusing to obey or carry out or obstructing the execution of any regulation made under this section shall be liable to a penalty not exceeding fifty pounds.

2.—(1.) Regulations of the Local Government Board made in relation to cholera and choleraic diarrhœa in pursuance of section one hundred and thirty of the Public Health Act, 1875, may provide for such regulations being enforced and executed by the officers of Customs as well as by other Explanation of powers of Local Government Board to make regulations.

authorities and officers, and without prejudice to the generality of the powers conferred by the said section may provide for the detention of vessels and of persons on board vessels, and for the duties to be performed by pilots, masters of vessels, and other persons on board vessels;

(2.) Provided that the regulations, so far as they apply to the officers of Customs, shall be subject to the consent of the Commissioners of Her Majesty's Customs;

(3.) The officers of Customs, for the purpose of the execution of any powers and duties under the said regulations, may exercise any powers conferred on such officers by any other Act.

Power of Local Government Board to make regulations for prevention of diseases.

134. Whenever any part of England appears to be threatened with or is affected by any formidable epidemic, endemic, or infectious disease, the Local Government Board may make and from time to time alter and revoke regulations for all or any of the following purposes; (namely,)

(1.) For the speedy interment of the dead; and

(2.) For house to house visitation; and

(3.) For the provision of medical aid and accommodation, for the promotion of cleansing, ventilation, and disinfection, and for guarding against the spread of disease;

and may by order declare all or any of the regulations so made to be in force within the whole or any part or parts of the district of any local authority, and to apply to any vessels, whether on inland waters or on arms or parts of the sea within the jurisdiction of the Lord High Admiral of the United Kingdom or the commissioners for executing the office of the Lord High Admiral for the time being, for the period in such order mentioned; and may by any subsequent order abridge or extend such period.

Publication of regulations and orders.

135. All regulations and orders so made by the Local Government Board shall be published in the London Gazette, and such publication shall be conclusive evidence thereof for all purposes.

Penalty for violating or obstructing the execution of regulations.

140. Any person who—

(1.) Wilfully violates any regulation so issued by the Local Government Board as aforesaid; or,

(2.) Wilfully obstructs any person acting under the authority or in the execution of any such regulation,

shall be liable to a penalty not exceeding five pounds.

38 & 39 Vict. c. 55.

Sections 182–186 *of the Public Health Act*, 1875, *relating to byelaws.*

Authentication and alteration of byelaws.

182. All byelaws made by a local authority under and for the purposes of this Act shall be under their common seal: and any such byelaw may be altered or repealed by a subsequent byelaw made pursuant to the provisions of this Act: Provided that no byelaw made under this Act by a local authority shall be of any effect if repugnant to the laws of England or to the provisions of this Act.

Power to impose penalties on breach of byelaws.

183. Any local authority may, by any byelaws made by them under this Act, impose on offenders against the same such reasonable penalties as they think fit, not exceeding the sum of five pounds for each offence, and in the case of a continuing offence a further penalty not exceeding forty shillings for each day after written notice of the offence from the local authority; but all such byelaws imposing any penalty shall be so framed as to allow of the recovery of any sum less than the full amount of the penalty.

Confirmation of byelaws.

184. Byelaws made by a local authority under this Act shall not take effect unless and until they have been submitted to, and confirmed by, the Local Government Board, which Board is hereby empowered to allow or

disallow the same as it may think proper; nor shall any such byelaws be confirmed—

Unless notice of intention to apply for confirmation of the same has been given in one or more of the local newspapers circulated within the district to which such byelaws relate, one month at least before the making of such application; and

Unless for one month at least before any such application a copy of the proposed byelaws has been kept at the office of the local authority, and has been open during office hours thereat to the inspection of the ratepayers of the district to which such byelaws relate, without fee or reward.

The clerk of the local authority shall, on the application of any such ratepayer, furnish him with a copy of such proposed byelaws or any part thereof, on payment of sixpence for every hundred words contained in such copy.

A byelaw required to be confirmed by the Local Government Board shall not require confirmation, allowance, or approval by any other authority.

Byelaws to be printed, &c.

185. All byelaws made by a local authority under this Act, or for purposes the same as, or similar to, those of this Act under any local Act, shall be printed and hung up in the office of such authority; and a copy thereof shall be delivered to any ratepayer of the district to which such byelaws relate, on his application for the same.

Evidence of byelaws.

186. A copy of any byelaws made under this Act by a local authority, signed and certified by the clerk of such authority to be a true copy and to have been duly confirmed, shall be evidence, until the contrary is proved, in all legal proceedings of the due making, confirmation, and existence of such byelaws without further or other proof.

Sections 293–296 *of the Public Health Act*, 1875, *relating to Inquiries of the Local Government Board.*

38 & 39 Vict. c. 55.

Power of Board to direct inquiries.

293. The Local Government Board may from time to time cause to be made such inquiries as are directed by this Act, and such inquiries as they see fit in relation to any matters concerning the public health in any place, or any matters with respect to which their sanction, approval, or consent is required by this Act.

Orders as to costs of inquiries.

294. The Local Government Board may make orders as to the costs of inquiries or proceedings instituted by, or of appeals to, the said Board under this Act, and as to the parties by whom or the rates out of which such costs shall be borne; and every such order may be made a rule of one of the superior courts of law on the application of any person named therein.

Orders of Board under this Act.

295. All orders made by the Local Government Board in pursuance of this Act shall be binding and conclusive in respect of the matters to which they refer, and shall be published in such manner as that Board may direct.

Powers of inspectors of Local Government Board.

296. Inspectors of the Local Government Board shall, for the purposes of any inquiry directed by the Board, have in relation to witnesses and their examination, the production of papers and accounts, and the inspection of places and matters required to be inspected, similar powers to those which poor law inspectors have under the Acts relating to the relief of the poor for the purposes of those Acts.

Sections 211 *and* 212 *of the Metropolis Management Act*, 1855, *relating to Appeals to London County Council.*

18 & 19 Vict. c. 120.

Power to appeal against orders and

211. Any person who deems himself aggrieved by any order of any vestry or district board in relation to the level of any building, or any order

acts of vestries and district boards in relation to construction of works.

or act of any vestry or district board in relation to the construction, repair, alteration, stopping or filling up, or demolition of any building, sewer, drain, ... , may, within seven days after notice of any such order to the occupier of the premises affected thereby, or after such act, appeal to the county council against the same; and all such appeals shall stand referred to the committee appointed by such council for hearing appeals as herein provided; and such committee shall hear and determine all such appeals, and may order any costs of such appeals to be paid to or by the vestry or district board by or to the party appealing, and may, where they see fit, award any compensation in respect of any act done by any such vestry or district board in relation to the matters aforesaid; provided that no such compensation shall be awarded in respect of any such act which may have been done under any of the provisions of this Act on any default to comply with any such order as aforesaid, unless the appeal be lodged within seven days after notice of such order has been given to the occupier of the premises to which the same relates.

County council to appoint a committee for hearing appeals.

212. The county council shall appoint a committee for the purpose of hearing all such appeals as may be made to the said council as aforesaid, which committee shall have power to hear and decide all such appeals, and the county council shall from time to time fill up any vacancy in such committee, and the chairman of the said council shall, by virtue of his office of chairman, be a member of the said committee in addition to the members appointed by the said council, and shall preside at all meetings of such committee at which he is present; and in case of a vacancy in the office of such chairman, or in his absence, some other member of the committee shall be chosen to preside; and all the powers of such committee may be exercised by any three of them; and any member of such committee may at any time resign his office.

SECOND SCHEDULE.

PROVISIONS OF PUBLIC HEALTH ACTS EXTENDED TO WOOLWICH.

Enactments.	Subject Matter.
38 & 39 Vict. c. 55.:	
Section four - - - -	Definitions.
Sections five to eight, ten, and twelve -	Authorities for execution of Act.
Sections thirteen to thirty-four - -	Sewerage and drainage.
Section forty-one, so far as it relates to a drain.	Examination, and enforcement of law, as to drain.
Sections fifty-one to sixty-one, sixty-three, and sixty-five.	Water supply.
Sections one hundred and forty-four to one hundred and forty-eight.	Highways.
Sections one hundred and forty-nine to one hundred and fifty-five, and one hundred and fifty-seven to one hundred and sixty.	Streets and buildings.

Enactments.	Subject Matter.
38 & 39 Vict. c. 55.—*cont.*	
Sections one hundred and sixty-one to one hundred and sixty-three.	Lighting streets.
Sections one hundred and sixty-four and one hundred and sixty-five.	Public pleasure grounds and clocks.
Sections one hundred and sixty-six to one hundred and sixty-eight.	Markets.
Section one hundred and seventy-two -	Licensing of, and byelaws for, horses, boats, &c. let for hire.
Sections one hundred and seventy-three and one hundred and seventy four.	Contracts.
Sections one hundred and seventy-five to one hundred and seventy-eight.	Purchase of land.
Sections one hundred and seventy-nine to one hundred and eighty-one.	Arbitration.
Sections one hundred and eighty-two to one hundred and eighty-six, and one hundred and eighty-eight.	Byelaws.
Sections one hundred and eighty-nine, and one hundred and ninety-two to one hundred and ninety-six.	Officers.
Sections one hundred and ninety-seven, one hundred and ninety-nine, two hundred, and two hundred and three to two hundred and six.	Mode of conducting business.
Sections two hundred and seven, and two hundred and nine to two hundred and twenty-seven.	Expenses and rates.
Sections two hundred and thirty-three to two hundred and forty-three.	Borrowing.
Sections two hundred and forty-five, two hundred and forty-seven, two hundred and forty-nine, and two hundred and fifty.	Audit.
Sections two hundred and fifty-one, two hundred and fifty-three, two hundred and fifty-four, and two hundred and fifty-six to two hundred and sixty-nine.	Legal proceedings.
Section two hundred and eighty-five -	Works outside district.
Sections two hundred and ninety-three to three hundred and four.	Powers of Local Government Board.
Sections three hundred and five to three hundred and eleven, and three hundred and thirteen to three hundred and seventeen.	Miscellaneous

Enactments.	Subject Matter.
38 & 39 Vict. c. 55.—*cont.*	
Sections three hundred and twenty-seven to three hundred and thirty-seven, and three hundred and thirty-nine to three hundred and forty-one.	Saving clauses.
The schedules, so far as they are applicable.	——
45 & 46 Vict. c. 23. - - - -	Byelaws for fruit pickers' lodgings.
46 & 47 Vict. c. 37. - - - -	Support of sewers.
47 & 48 Vict. c. 12. - - - -	Confirmation of byelaws.
47 & 48 Vict. c. 74. - - - -	Officers.
48 & 49 Vict. c. 53. - - - -	Members and officers of local authority.
51 & 52 Vict. c. 52. - - - -	Buildings in streets.
53 & 54 Vict. c. 17. - - - -	Rating of orchards.

THIRD SCHEDULE.

FORMS.

FORM A.

Form of Notice requiring Abatement of Nuisance.

To [*person causing the nuisance, or owner or occupier of the premises at which the nuisance exists, as the case may be*].

Take notice that under the provisions of the Public Health (London) Act, 1891, the [*describe the sanitary authority*], being satisfied of the existence at [*describe premises where the nuisance exists*] of a nuisance being [*describe the nuisance, for instance*, premises in such a state as to be a nuisance or injurious or dangerous to health, *or for further instance*, a ditch or drain so foul as to be a nuisance or injurious or dangerous to health], do hereby require you within [*specify the time*] from the service of this notice to abate the same [and to execute such works and do such things as may be necessary for that purpose, *or* and for that purpose to *specify any works to be executed*], [and the said [*authority*] do hereby require you within the said period to do what is necessary for preventing the recurrence of the nuisance, and for that purpose to *&c.*]

Where the nuisance has been abated, but is likely to recur, say, being satisfied that at *&c.* there existed recently, to wit, on or about the day of the following nuisance, namely [*describe nuisance*], and that although the said nuisance has since the last-mentioned day been abated, the same is likely to recur at the said premises, do hereby require you within [*specify time*], to do what is necessary for preventing the recurrence of the nuisance [and for that purpose to *&c.*]

If you make default in complying with the requisitions of this notice [or if the said nuisance, though abated, is likely to recur], a summons will be

issued requiring your attendance before a petty sessional court, to answer a complaint which will be made for the purpose of enforcing the abatement of the nuisance, or prohibiting the recurrence thereof, or both, and for recovering the costs and penalties that may be incurred thereby.

Dated this day of 18 .

Signature of officer of sanitary authority

FORM B.

Form of Summons.

Summons.

To *A.B.*, of [*or* to the owner *or* occupier of] [*describe premises*] situated [*insert such description of the situation as may be sufficient to identify the premises*],

County of &c., to wit. } YOU are required to appear before [*describe the petty sessional court*], at the court [*or* petty sessions] holden at on the day of next at the hour of in the noon, to answer the complaint this day made to me by that at the premises above mentioned [*or* at certain premises situated at No. in street in the parish of *or insert any other such description or reference as may be sufficient to identify the premises*], in the district of [*describe the sanitary authority*], the following nuisance exists [*describe the nuisance and add, where the person causing the nuisance is summoned*, and that the said nuisance is caused by the act, default, or sufferance of you, *A.B.*].

Where the nuisance is discontinued, but is likely to be repeated, say, to answer the complaint *&c.* that at *&c.* there existed recently, to wit, on or about the day of , the following nuisance [*describe the nuisance, and add, where the person causing the nuisance is summoned*, and that the said nuisance was caused, *&c.*], and although the said nuisance has since the said last-mentioned day been abated or discontinued, that the same or the like nuisance is likely to recur at the said premises.

Given under my hand and seal this day of 18 .

J.S. (L.S.)

FORM C.

Form of Nuisance Order.

To *A.B.*, of [*or* to the owner *or* occupier of] [*describe premises*] situated [*insert such description of the situation as may be sufficient to identify the premises*].

County of, &c. to wit. } WHEREAS the said *A.B.* [*or* the owner *or* occupier of the said premises within the meaning of the Public Health (London) Act, 1891] has this day appeared before me [*or* us, *describing the court*], to answer the matter of a complaint made by *&c.* that at *&c.* [*follow the words of complaint in summons*] [*or in case the party charged do not appear, say*, Whereas it has been now proved to my (*or* our) satisfaction that a summons has been duly served according to the Public Health (London) Act, 1891, requiring the said *A.B.* [*or* the owner *or* occupier of the said premises] to appear this day before me [*or* us] to answer the matter of a complaint made by *&c.* that at *&c.*]:

[*Any of the following orders may be made or a combination of any of them as the case seems to require.*]

Abatement Order. Now on proof here had before me [*or* us] that the nuisance so complained of does exist at the said premises [*add, where the order is made on the person causing the nuisance*, and that the same is caused by the act, default, or sufferance of *A.B.*], I [*or* we], in pursuance of the Public Health (London) Act, 1891, do order the said *A.B.* [*or* the said owner *or* occupier] within [*specify the time*] from the service of this order according to the said Act [*here specify the nuisance to be abated, as, for instance*, to prevent the premises being a nuisance or injurious or dangerous to health, or, *for further instance*, to prevent the ditch or drain being a nuisance or injurious or dangerous to health] [and *state any works to be executed, as, for instance*, to whitewash and disinfect the premises, *or, for further instance*, to clean out the ditch].

Prohibition Order, No. 1. And I [*or* we] being satisfied that, notwithstanding the said nuisance may be temporarily abated under this order, the same is likely to recur, do therefore prohibit the said *A.B.* [*or* the said owner *or* occupier] from allowing the recurrence of the said or a like nuisance [and for that purpose I *or* we direct the said *A.B. or* the said owner *or* occupier, *here specify any works to be executed, as, for instance*, to fill up the ditch].

Prohibition Order, No. 2. Now, on proof here had before me [*or* us] that at or recently before the time of making the said complaint, to wit, on
the nuisance so complained of did exist at the said premises, but that the same has since been abated [*add, where the order is made on the person causing the nuisance*, and that the nuisance was caused by the act, default, or sufferance of *A.B.*], yet, notwithstanding such abatement, I [*or* we] being satisfied that it is likely that the same or the like nuisance will recur at the said premises, do therefore prohibit [*continue as in Prohibition Order, No.* 1].

Closing Order. Now, on proof here had before me [*or* us] that the nuisance is such as to render the dwelling-house [*describe the house*] situated at [*insert such a description of the situation as may be sufficient to identify the dwelling-house*] unfit in my [*or* our] judgment for human habitation, I [*or* we] in pursuance of the Public Health (London) Act, 1891, do hereby prohibit the use of the said dwelling-house for human habitation.

Given under the hand and seal of me [*or* the hands and seals of us, *describing the court*].

This day of 18 .

J.S. (L.S.)

J.P. (L.S.)

FORM D.

Form of Nuisance Order to be executed by Sanitary Authority.

To the , [*describe the sanitary authority*],

County of, &c., to wit. } WHEREAS a complaint has been made by

that at certain premises situated at No. in street, in the parish of [*or insert any other description or reference as may be sufficient to identify the premises*] in the district of [*describe the sanitary authority*] the following nuisance exists [*describe the nuisance*].

And it has been now proved to my [*or* our] satisfaction that such nuisance exists, but that no owner or occupier of the premises, or person by whose act, default, or sufferance the nuisance is caused, is known *or* can be found

[*as the case may be*]; Now I [*or* we] in pursuance of the Public Health (London) Act, 1891, do [*continue as in any of the orders in Form C. with the substitution of the name of the sanitary authority for that of A.B. or the owner or occupier*].

Given *&c.* (*as in last form*).

Form E.

Warrant of Justice for Entry to Premises.

Whereas *A.B.*, being a person authorised under the Public Health (London) Act, 1891, to enter certain premises [*describe the premises*], has made application to me, *C.D.*, one of Her Majesty's justices of the peace having jurisdiction in and for [*describe the place*], to authorise the said *A.B.* to enter the said premises, and whereas I, *C.D.*, am satisfied by information on oath that there is reasonable ground for such entry, and that there has been a refusal or failure to admit to such premises, and *either* that reasonable notice of the intention to apply to a justice for a warrant has been given, *or* that the giving of notice of the intention to apply to a justice for a warrant would defeat the object of the entry.

[*or* am satisfied by information on oath that there is reasonable cause to believe that there is on the said premises a contravention of the Public Health (London) Act, 1891, or of a byelaw made under that Act, and that an application for admission or notice of an application for a warrant would defeat the object of the entry.]

Now, therefore, I, the said *C.D.*, do hereby authorise the said *A.B.* to enter the said premises, and if need be by force, with such assistants as he may require, and there execute his duties under the said Act.

Given, &c. (*as in last form*).

FOURTH SCHEDULE.

Enactments Repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
26 Geo. 3. c. 71. -	An Act for regulating houses and other places kept for the purpose of slaughtering horses.	The whole Act.
57 Geo. 3. c. xxix.	An Act for better Paving, Improving, and Regulating the Streets of the Metropolis, and Removing and Preventing Nuisances and Obstructions therein.	Section fifty-seven so far as it relates to a cesspool; sections fifty-nine to sixty-one; section sixty-three; section sixty-four from "or shall throw" to "either of "such pavements" as from the coming into operation of any byelaw made for the like object; sections sixty-seven and sixty-eight; and sections seventy-three and seventy-four as from the coming into operation of any byelaw made for the like object.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
2 & 3 Vict. c. 47. -	An Act for further improving the police in and near the metropolis.	Section sixty, from "or cause "any offensive matter" to "so as to be a common "nuisance," as from the coming into operation of any byelaw made for the like object; and from "every occupier of a "house" to "reference to "this enactment."
7 & 8 Vict. c. 87. -	An Act to amend the law for regulating places kept for slaughtering horses.	The whole Act.
16 & 17 Vict. c. 128.	An Act to abate the Nuisance arising from the smoke of Furnaces in the Metropolis and from Steam Vessels above London Bridge.	The whole Act as respects all places without as well as within London.
18 & 19 Vict. c. 116.	The Diseases Prevention Act, 1855.	The whole Act.
18 & 19 Vict. c. 120.	The Metropolis Management Act, 1855.	Section eighty-one; sections eighty-two to eighty-five, except so far as they relate to a drain or sewer, or any work or apparatus connected therewith; section eighty-six down to "de- "frayed under this Act"; sections eighty-eight, one hundred and three, and one hundred and four; section one hundred and sixteen from "and also to cause" to the end of the section; sections one hundred and seventeen, and one hundred and twenty-five; section one hundred and twenty-six, as from the coming into operation of any byelaw made for the like object; sections one hundred and twenty-seven to one hundred and twenty-nine, one hundred and thirty-two, one hundred and thirty-three, and one hundred and thirty-four; section one hundred and ninety-eight from "and to "every such report" to "for their parish or dis- "trict"; section two hundred and two from "for the emptying" to "disposing of refuse" as

Session and Chapter.	Title or Short Title.	Extent of Repeal.
18 & 19 Vict. c. 120.—*cont.*		from the coming into operation of any byelaw made for the like object and; section two hundred and eleven so far as regards any watercloset, privy, ashpit, or cesspool.
18 & 19 Vict. c. 121.	The Nuisances Removal Act for England, 1855.	The whole Act.
19 & 20 Vict. c. 107.	An Act to amend the Smoke Nuisance Abatement (Metropolis) Act, 1853.	The whole Act as respects all places without as well as within London.
23 & 24 Vict. c. 77.	An Act to amend the Acts for the Removal of Nuisances and the Prevention of Diseases.	The whole Act.
25 & 26 Vict. c. 102.	The Metropolis Management Amendment Act, 1862.	Sections forty-three and sixty-two; in section sixty-four the word "eighty-first," and the words "and eighty-sixth"; sections sixty-seven, seventy, eighty-nine, ninety-one, ninety-three, ninety-four, and ninety-five and section one hundred and five, from "and all penalties" to "1855."
26 & 27 Vict. c. 117.	The Nuisances Removal Act for England (Amendment) Act, 1863.	The whole Act.
29 & 30 Vict. c. 41.	The Nuisances Removal (No. 1) Act, 1866.	The whole Act.
29 & 30 Vict. c. 90.	The Sanitary Act, 1866	The whole Act, except section forty-one.
31 & 32 Vict. c. 115.	The Sanitary Act, 1868	The whole Act.
32 & 33 Vict. c. 100.	The Sanitary Loans Act, 1869.	The whole Act.
33 & 34 Vict. c. 53.	The Sanitary Act, 1870	The whole Act.
35 & 36 Vict. c. 79.	The Public Health Act, 1872.	The whole Act.
37 & 38 Vict. c. 67.	The Slaughterhouses, &c. (Metropolis) Act, 1874.	The whole Act.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
37 & 38 Vict. c. 89.	The Sanitary Law Amendment Act, 1874.	The whole Act, except so much of sections forty-six and forty-nine as relates to common lodging-houses.
38 & 39 Vict. c. 55.	The Public Health Act, 1875.	Section one hundred and eight from "In this section" to the end of the section; section one hundred and fifteen from "In "this section" to the end of the section. Section two hundred and ninety-one, as respects the whole of the Port of London.
41 & 42 Vict. c. 74.	The Contagious Diseases (Animals) Act, 1878.	Section thirty-four.
42 & 43 Vict. c. 54.	The Poor Law Act, 1879	Sections fifteen and sixteen.
43 & 44 Vict. c. lix.	The Local Government Board's Provisional Orders Confirmation (Amersham Union, &c.) Act, 1880.	Section two.
46 & 47 Vict. c. 35.	The Diseases Prevention (Metropolis) Act, 1883.	The whole Act.
46 & 47 Vict. c. 53.	The Factory and Workshop Act, 1883.	Section seventeen, down to "for the district," being the first two subsections.
47 & 48 Vict. c. 60.	The Metropolitan Asylum Board (Borrowing Powers) Act, 1884.	The whole Act.
48 & 49 Vict. c. 72.	The Housing of the Working Classes Act, 1885.	Section seven; and section nine from "This section shall apply" to "sanitary authority," being subsection (6).
49 & 50 Vict. c. 32.	The Contagious Diseases (Animals) Act, 1886.	Section nine.
51 & 52 Vict. c. 41.	The Local Government Act, 1888.	Section forty-five; and section eighty-eight, from "Section one hundred and "ninety-one" to the end of the section, being subsection (c).
52 & 53 Vict. c. 56.	The Poor Law Act, 1889	Section three, down to "common poor fund," being subsections (1), (2), and (3); and sections six and seven.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
52 & 53 Vict. c. 64.	The Public Health Act, 1889.	Section one, from "and as regards" to the end of the section; and in section two the words "or of "section fifty-two of the "Sanitary Act, 1866."
52 & 53 Vict. c. 72.	The Infectious Disease (Notification) Act, 1889.	Section two, from "to every London" down to "Act and" being subsection (*a*); sections ten and twelve; section sixteen, from "the "Commissioners of "Sewers" down to "Act, 1887," being subsections (*a*) and (*b*); and from "The expression 'London "'district'" down to "local authority is "elected."
53 & 54 Vict. c. 34.	The Infectious Disease (Prevention) Act, 1890.	Section two, from "Local authority" to the end of the section; section three, from "to every London "district" to "this Act; and"; and section five, down to "London district, and".
53 & 54 Vict. c. ccxliii.	The London Council (General Powers) Act, 1890.	Sections twenty-two and twenty-four.

APPENDIX AND INDEX.

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A TABLE OF

The TITLES of the LOCAL and PRIVATE ACTS passed during the Session

54 & 55 VICTORIA.—A.D. 1891.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

ROYAL ASSENT, 10th February 1891.

P. i. AN Act to confirm an Order in Council of the Lord Lieutenant and Privy Council in Ireland relating to the Athenry and Tuam (Extension to Claremorris) Railway. (*Tramways Order in Council (Ireland) (Athenry and Tuam Extension to Claremorris Railway) Confirmation.*)

ROYAL ASSENT, 26th March 1891.

P. ii. An Act to confirm a Provisional Order of the Local Government Board under the provisions of the Poor Law Amendment Act, 1867, relating to the Parish of Birmingham. (*Local Government Board's Provisional Order Confirmation (Poor Law).*)

iii. An Act to incorporate the Trustees and Guardians of Shakespeare's Birthplace, and to vest in them certain lands and other property in Stratford-upon-Avon, including the property known as Shakespeare's Birthplace; and to provide for the maintenance in connection therewith of a Library and Museum; and for other purposes. (*Shakespeare Birthplace &c. Trust.*)

Royal Assent, 11th May 1891.

iv. An Act for the Abandonment of the Tramway authorised by the Chew Valley Tramway Act, 1887. (*Chew Valley Tramway* (*Abandonment*).)

v. An Act to authorise the Local Board of Health for the District of the Borough of Llanelly to make Additional Waterworks and for other purposes. (*Llanelly* (*Local Board*) *Waterworks.*)

vi. An Act to amend the provisions of the Acts regulating the Standard Life Assurance Company which relate to investment of the funds of the Company and for other purposes. (*Standard Life Assurance Company's.*)

vii. An Act to confer further powers on the Scottish Widows' Fund and Life Assurance Society and on the Ordinary Court of Directors thereof and for other purposes. (*Scottish Widows Fund and Life Assurance Society's.*)

viii. An Act to authorise the Mersey Docks and Harbour Board to alter extend and improve their Docks Basins and Works at the northern end of their Liverpool Dock Estate and for other purposes. (*Mersey Dock.*)

ix. An Act to revive the Powers for the compulsory purchase of Lands for and to extend the time limited for the completion of the Railway authorised by the Newark and Ollerton Railway Act 1887 and for other purposes. (*Newark and Ollerton Railway.*)

x. An Act for the abandonment of the Pewsey and Salisbury Railway. (*Pewsey and Salisbury Railway* (*Abandonment*).)

xi. An Act to enable the Bristol General Cemetery Company to enlarge their Cemetery and for other purposes. (*Bristol Cemetery.*)

xii. An Act to enable the Mayor Aldermen and Burgesses of the City of Bristol to construct a fixed bridge across the Floating Harbour or River Frome in lieu of the existing bridge called the Drawbridge and for other purposes. (*Bristol Saint Augustine Bridge.*)

xiii. An Act to enable the Mayor Aldermen and Burgesses of the Borough of Bolton to construct Additional Tramways in and adjacent to the Borough and for other purposes. (*Bolton Corporation Tramways.*)

xiv. An Act to unite the districts into which the County Borough of Salford is now divided and to enable the Mayor Aldermen and Burgesses of the said County Borough to make Street Improvements and further provision for the good government of the Borough and for other purposes. (*Salford Corporation.*)

xv. An Act to provide for the conversion by Agreement of the Ordinary Shares of the Nitrate Railways Company Limited into Preferred and Deferred Ordinary Shares and for other purposes. (*Nitrate Railways Company Limited* (*Conversion of Shares*).)

xvi. An Act for incorporating the Market Drayton Water Company and empowering them to construct Works and supply Water and for other purposes. (*Market Drayton Water.*)

xvii. An Act for the abandonment of the Undertaking of the Ogmore Dock and Railway Company and for other purposes. (*Ogmore Dock and Railway (Abandonment).*)

xviii. An Act to enable the Southampton Dock Company to raise Additional Capital. (*Southampton Docks.*)

xix. An Act to confer Further Powers upon the Great Northern Railway Company with respect to their own undertaking and undertakings in which they are jointly interested and for other purposes. (*Great Northern Railway.*)

xx. An Act to constitute a Lunatic Asylums Board for the County Palatine of Lancaster and to transfer the existing County Pauper Lunatic Asylums to such Board to repeal the Lancaster Annual General Sessions Act and for other purposes. (*Lancashire County (Lunatic Asylums and other Powers).*)

xxi. An Act to incorporate and confer powers on the Leighton Bussard Gas and Coke Company. (*Leighton Bussard Gas.*)

xxii. An Act to extend the time for the completion of the Waterworks authorised by the Mountain Ash Local Board Act 1886 to authorise the Mountain Ash Local Board to borrow further moneys and for other purposes. (*Mountain Ash Local Board.*)

P. xxiii. An Act to confirm a Provisional Order under the Land Drainage Act, 1861, relating to Bluntisham Improvements, situate in the Parish of Bluntisham-cum-Earith, in the county of Huntingdon. (*Land Drainage Supplemental.*)

P. xxiv. An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State under the Metropolitan Police Act, 1886, relating to lands in the Parishes of St. Pancras, St. John at Hackney, St. James's, Westminster, and St. Mary Cray. (*Metropolitan Police Provisional Order Confirmation.*)

P. xxv. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Harrow, Ramsgate, Stafford, and Teignmouth. (*Local Government Board's Provisional Orders Confirmation (No. 3.).*)

P. xxvi. An Act to confirm a Scheme under the Metropolitan Commons Act, 1866, and the Metropolitan Commons Amendment Act, 1869, relating to Mitcham Common, Upper Green, Lower Green, Figgs Marsh, and Beddington Corner (*Metropolitan Commons (Mitcham) Supplemental.*)

P. xxvii. An Act to confirm an Order made by the Secretary for Scotland under the Sea Fisheries Act, 1868, relating to the Oyster and Mussel Fishery (Loch Sween). (*Oyster and Mussel Fishery (Loch Sween) Order Confirmation.*)

ROYAL ASSENT, 11th June 1891.

xxviii. An Act to confer further powers upon the Filey Water and Gas Company in relation to the supply of Water and Gas to extend their limits for the supply of Water to empower them to raise additional capital and for other purposes. (*Filey Water and Gas.*)

xxix. An Act to extend the time respectively for completing and opening certain Tramways authorised to be constructed by the Folkestone Sandgate and Hythe Tramways Company and for other purposes. (*Folkestone Sandgate and Hythe Tramways.*)

xxx. An Act to amend certain Acts relating to the Taff Vale Railway Company and for other purposes. (*Taff Vale Railway.*)

xxxi. An Act to authorise the abandonment of a portion of the Undertaking of the Scarborough Bridlington and West Riding Junction Railways Company and for other purposes. (*Scarborough Bridlington and West Riding Junction Railways.*)

xxxii. An Act to enable the Corporation of Perth to create and issue redeemable Debenture Stock for the conversion and redemption of their debt and for other purposes. (*Perth Corporation.*)

xxxiii. An Act for the granting of further powers to the Sunderland and South Shields Water Company and for other purposes. (*Sunderland and South Shields Water.*)

xxxiv. An Act to authorise the North Staffordshire Railway Company to construct new locks and approaches thereto on the Trent and Mersey Navigation to divert certain roads to acquire additional lands and to confer other powers on such Company. (*North Staffordshire Railway.*)

xxxv. An Act for amalgamating the undertakings of the Wirral Railway Company and Seacombe Hoylake and Deeside Railway Company and for other purposes. (*Wirral Railway (Amalgamation).*)

xxxvi. An Act to empower the Norwich Union Life Insurance Society to make new provisions for the government of the Society and the management of its affairs and for other purposes. (*Norwich Union Life Insurance Society.*)

xxxvii. An Act to authorise the Magistrates and Council of the City and Royal Burgh of Glasgow as the Police Commissioners thereof to acquire lands for Sewage purposes and to raise further moneys and for other purposes. (*Glasgow Police (Sewage, &c.).*)

xxxviii. An Act to authorise the Trustees of the Clyde Navigation to construct a new Road with Tramways thereon in substitution for portions of certain authorised Roads and Tramways other Roads a Railway Dock Tramway and a Quay or Wharf at Clydebank to abandon the Railway and some of the works authorised by the Acts of 1883 and 1890 and for other purposes. (*Clyde Navigation.*)

xxxix. An Act to empower the North British Railway Company to improve their Harbour at Methil in the County of Fife and to construct a new Dock there and other works in connexion therewith and for other purposes. (*North British Railway* (*Methil Harbour*).)

xl. An Act to confer additional powers upon the Midland Railway Company for the construction of works and the acquisition of lands for empowering that Company to increase their subscription to the Undertaking of the Tottenham and Forest Gate Railway Company and to contribute funds towards the Undertaking of the Guiseley Yeadon and Rawdon Railway Company to confirm an Agreement between the Midland Railway Company and the Swansea Harbour Trustees and for other purposes. (*Midland Railway.*)

xli. An Act to enable the Midland Great Western Railway of Ireland Company to carry into effect Agreements with the Treasury for the making maintaining and working certain Railways and for other purposes. (*Midland Great Western Railway of Ireland.*)

xlii. An Act to authorise the Didcot Newbury and Southampton Railway Company to abandon their Aldermaston Branch Railway and for other purposes. (*Didcot Newbury and Southampton Railway.*)

P. xliii. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Galashiels and Melrose, in the counties of Roxburgh and Selkirk. (*Galashiels and Melrose Order Confirmation.*)

P. xliv. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Ashkirk and Selkirk, in the counties of Roxburgh and Selkirk. (*Ashkirk and Selkirk Order Confirmation.*)

P. xlv. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Stirling and St. Ninians, in the counties of Clackmannan and Stirling. (*Stirling and St. Ninians Order Confirmation.*)

P. xlvi. An Act to confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the purchase of Land for a new Burial Ground within the District of Newbridge. (*Local Government Board* (*Ireland*) *Provisional Order Confirmation* (*Newbridge*).)

P. xlvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Merchant Shipping (Pilotage) Act, 1889, relating to Humber and Swansea. (*Pilotage Orders Confirmation* (*No.* 2).)

P. xlviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Boscombe, Fraserburgh, Herne Bay, Mullion, Pennan, Scarborough, Uig, and Yarmouth (Great). (*Pier and Harbour Orders Confirmation* (*No.* 1).)

P. xlix. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Bolton, Canterbury, Dewsbury, Hanley, Harrogate, and Sunderland. (*Electric Lighting Orders Confirmation* (*No.* 1).)

P. l. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Ealing, Norwich, Southport, Stockport, Surbiton, and Tynemouth. (*Electric Lighting Orders Confirmation* (*No.* 2).)

P. li. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Bishop's Stortford, Croydon, Heckmondwike, Londonderry, Southend, and Weston-super-Mare. (*Electric Lighting Orders Confirmation* (*No.* 3).)

P. lii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Acton, Chiswick, Coventry, Kidderminster, Llanelly, and South Shields. (*Electric Lighting Orders Confirmation* (*No.* 4).)

P. liii. An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State for modifying the Metropolis (Shelton Street, St. Giles) Improvement Scheme, 1886. (*Metropolis* (*Shelton Street, St. Giles*) *Provisional Order Confirmation.*)

Royal Assent, 3rd July 1891.

P. liv. An Act to confirm a Provisional Order for the Inclosure of Mungrisdale Low Common, situate in the parish of Greystoke, in the county of Cumberland, in pursuance of a report from the Board of Agriculture. (*Inclosure* (*Mungrisdale*) *Provisional Order Confirmation.*)

P. lv. An Act to confirm certain Provisional Orders made by the Education Department under the Elementary Education Act, 1870, to enable the School Boards for West Ham, Tottenham, Portsmouth, Chiswick, and Hackford and Whitwell United District to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same. (*Education Department Provisional Orders Confirmation* (*West Ham, &c.*).)

P. lvi. An Act to confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the purchase of Gasworks in the Township of Kilrush. (*Local Government Board* (*Ireland*) *Provisional Order Confirmation* (*Kilrush Gas*).)

P. lvii. An Act to confirm two Provisional Orders of the Local Government Board for Ireland under the Public Health Ireland) Act, 1878, relating to the improvement of Streets in the Boroughs of Belfast and Londonderry. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation* (*No.* 3).)

P. lviii. An Act to confirm two Provisional Orders made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the purchase of Land for Waterworks in the Township of Clonmel and within the District of Mitchelstown. (*Local Government Board (Ireland) Provisional Orders Confirmation (No.* 4).)

P. lix. An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State in pursuance of section twenty-two of the Police Act, 1890, relating to the Superannuation of the Members of the Fire Brigade of the City of Manchester. (*Fire Brigade Superannuation (Manchester) Provisional Order Confirmation.*)

P. lx. An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area situated in the Parishes of St. Matthew, Bethnal Green, and St. Leonard, Shoreditch, in the County of London. (*London (Boundary Street, Bethnal Green) Provisional Order Confirmation.*)

P. lxi. An Act to confirm a Provisional Order under the Thames Valley Drainage Act, 1871, to enable the Thames Valley Drainage Commissioners to put in force the compulsory clauses of the Lands Clauses Acts relating to certain lands in the parish of Northmoor, in the county of Oxford, and in the parish of Appleton with the township of Eaton, in the county of Berks (*Thames Valley Drainage Provisional Order Confirmation.*)

P. lxii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Bromley, Preston, Scarborough, Torquay, Tunbridge Wells, and Withington District. (*Electric Lighting Orders Confirmation (No.* 5).)

P. lxiii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 to 1890, relating to Edinburgh and Paisley. (*Electric Lighting Orders Confirmation (No.* 6).)

P. lxiv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Hertford, Killarney, Kingston-upon-Thames, Liverpool, Toxteth Park, and Whitehaven. (*Electric Lighting Orders Confirmation (No.* 7).)

P. lxv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Camberwell, Islington, Southwark, Wandsworth District, and Westminster. (*Electric Lighting Orders Confirmation (No.* 9).)

P. lxvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Baildon, Derby, Idle, and Middleton, and to the Rural Sanitary District of the Watford Union. (*Local Government Board's Provisional Orders Confirmation (No.* 2).)

P. lxvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Coventry, Dudley, Filey, Knaresborough and Tentergate, Oxford, and Rawtenstall, and to the Rural Sanitary District of the Chester-le-Street Union. (*Local Government Board's Provisional Orders Confirmation* (*No.* 4).)

P. lxviii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bath, Clifton Dartmouth Hardness, Devonport, Plymouth, and Stapleton, and to the Rural Sanitary District of the Hendon Union. (*Local Government Board's Provisional Orders Confirmation* (*No.* 5).)

P. lxix. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Chorley, Daventry, Newcastle-under-Lyme, Rochester, and Saint Helens. (*Local Government Board's Provisional Orders Confirmation* (*No.* 6).)

P. lxx. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Brighton, Cheltenham, Linthwaite, Southport, and Waltham-Holy-Cross. (*Local Government Board's Provisional Orders Confirmation* (*No.* 8).)

P. lxxi. An Act to confirm certain Provisional Orders of the Local Government Board for constituting joint committees to enforce the provisions of the Rivers Pollution Prevention Act, 1876, in relation to parts of the Rivers Irwell, Mersey, and Ribble. (*Local Government Board's Provisional Orders Confirmation* (*No.* 10).)

lxxii. An Act to extend the time for the compulsory purchase of lands for and for the completion of the Latimer Road and Acton Railway. (*Latimer Road and Acton Railway.*)

lxxiii. An Act to confer further powers upon the Plymouth and Dartmoor Railway Company. (*Plymouth and Dartmoor Railway.*)

lxxiv. An Act to revive the powers and extend the periods for the Compulsory Purchase of Lands for and for the completion of the Dock and Works authorised by the Thames Deep Water Dock Act 1881 and for other purposes. (*Thames Deep Water Dock.*)

lxxv. An Act authorising the Abandonment and Discontinuance of portions of the Canal the Maintenance and Continuance of the Harbour at Bude and of portions of the Canal the Maintenance of a portion of the Canal and of the Reservoir as Waterworks the Supply of Water to Local and other Authorities and for conferring further powers on the Company of Proprietors of the Bude Harbour and Canal in relation to their Undertaking and for other purposes. (*Bude Harbour and Canal* (*Further Powers*).)

lxxvi. An Act to extend the time for the completion of the City of Dublin Junction Railways to make provision with reference to superfluous lands and for other purposes. (*Dublin Wicklow and Wexford Railway.*)

lxxvii. An Act to provide for the control and regulation of Overhead Wires in the Administrative County of London. (*London Overhead Wires.*)

lxxviii. An Act for the prohibition of future and regulation of existing Sky Signs in the Administrative County of London. (*London Sky Signs.*)

lxxix. An Act for conferring further powers on the South-eastern Railway Company and upon the Cranbrook and Paddock Wood Railway Company and for other purposes. (*South-eastern Railway.*)

lxxx. An Act to repeal the Special Acts of the Pelican Life Insurance Company and to make provisions as to the constitution government and capital of the Company and for other purposes. (*Pelican Life Insurance Company's.*)

lxxxi. An Act to define and extend the objects of the Royal Insurance Company to provide for the transfer to that Company of the business of the Queen Insurance Company and for other purposes. (*Royal Insurance Company's.*)

lxxxii. An Act to confer further powers on the Metropolitan District Railway Company and for other purposes. (*Metropolitan District Railway.*)

lxxxiii. An Act for the granting of further Powers to the Fylde Waterworks Company and for other purposes. (*Fylde Water.*)

lxxxiv. An Act to incorporate the Garw and Ogmore Gas Company and authorise them to construct Gasworks and to supply Gas in certain parishes and places in the County of Glamorgan. (*Garw and Ogmore Gas.*)

lxxxv. An Act to incorporate the Gifford and Garvald Railway Company and to empower them to construct a Railway in the County of Haddington and for other purposes. (*Gifford and Garvald Railway.*)

lxxxvi. An Act to authorise the Barmouth Local Board to make Waterworks to make further and better provision for the improvement health and good government of the District to raise further Moneys and for other purposes. (*Barmouth Local Board.*)

lxxxvii. An Act to extend the Eastern Boundary of the borough of Birkenhead to the centre of the River Mersey to make further provisions for Street Improvements and as to the Public Libraries Ferries and Markets of the borough and for other purposes relating to the Local Government of the borough. (*Birkenhead Corporation.*)

lxxxviii. An Act for making a Railway from Peakirk in the County of Northampton to Crowland in the County of Lincoln and for other purposes. (*Crowland Railway.*)

lxxxix. An Act for conferring further powers on the Glasgow and South-western Railway Company for the construction of works the acquisition of lands and the raising of money for authorising them to acquire jointly with the Caledonian Railway Company the Shieldhall Branch Railway and for other purposes. (*Glasgow and South-western Railway (Additional Powers).*)

xc. An Act to provide for the purchase by the Corporation of Glasgow of the Undertaking of the Partick, Hillhead and Maryhill Gas Company, Limited; and for other purposes in connexion therewith. (*Glasgow Corporation (Partick, Hillhead and Maryhill) Gas.*)

xci. An Act for incorporating and conferring powers on the Kettering Gas Company to raise additional capital purchase other lands and for other purposes incident thereto. (*Kettering Gas.*)

xcii. An Act to confer further powers on the Great Northern Railway Company (Ireland). (*Great Northern Railway (Ireland).*)

xciii. An Act for incorporating the Western Valleys (Monmouthshire) Water Company and empowering them to construct Waterworks and supply Water and for other purposes. (*Western Valleys (Monmouthshire) Water.*)

xciv. An Act to empower the Dundee Water Commissioners to extend, enlarge and alter their Lintrathen Reservoir and Works connected therewith; and to construct additional Aqueducts, Conduits or Lines of Pipes, and other works; and for other purposes. (*Dundee Water.*)

xcv. An Act to confer further powers upon the Southampton Harbour Board and for other purposes. (*Southampton Harbour.*)

xcvi. An Act to authorise the Malvern Local Board to construct additional Waterworks for the supply of Water to their district and for other purposes. (*Malvern Water.*)

xcvii. An Act to repeal and re-enact with amendments the Sun Fire Office Acts 1813 and 1827 to make further provisions in relation to the Laws Objects Regulations and Capital of the Company to change the name of the Company and for other purposes. (*Sun Insurance Office.*)

xcviii. An Act to enable the Belfast and County Down Railway Company to construct a new Railway to widen and improve portions of their existing Railway to purchase additional lands and to raise additional capital and for other purposes. (*Belfast and County Down Railway.*)

xcix. An Act for conferring further powers on the Lancashire and Yorkshire Railway Company and for other purposes. (*Lancashire and Yorkshire Railway.*)

c. An Act to extend the Borough of Leicester and for other purposes. (*Leicester Extension.*)

ci. An Act to confer further powers on the Stourbridge Gas Company. (*Stourbridge Gas.*)

cii. An Act for incorporating and conferring powers on the Rhyl Gas Company. (*Rhyl Gas.*)

ciii. An Act for enabling the Caledonian Railway Company to make and maintain certain railways in Edinburgh and Leith to acquire lands to raise additional money and for other purposes. (*Caledonian Railway (Edinburgh and Leith Lines).*)

P. civ. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Birmingham, Cardiff, Exeter, Ipswich (Ipswich Electricity Supply Company), Ipswich (Laurence, Scott, and Co.), and Whitby. (*Electric Lighting Orders Confirmation (No. 8).*)

P. cv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Newport (Mon.), Poole, and Weybridge. (*Electric Lighting Orders Confirmation (No. 11).*)

P. cvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Leeds and Newcastle-upon-Tyne. (*Electric Lighting Orders Confirmation (No. 12).*)

P. cvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Hastings, Oldham, Rowley Regis, Southampton (two), Standish-with-Langtree, and West Ham, and to the Rural Sanitary District of the Stourbridge Union. (*Local Government Board's Provisional Orders Confirmation (No. 11).*)

P. cviii. An Act to confirm certain Provisional Orders of the Local Government Board under the Gas and Water Works Facilities Act, 1870, and the Public Health Act, 1875, relating to the Urban Sanitary Districts of Richmond (Yorks) and Selby. (*Local Government Board's Provisional Orders Confirmation (Gas).*)

P. cix. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parish of Dunlop, in the counties of Ayr and Renfrew. (*Dunlop Order Confirmation.*)

P. cx. An Act to confirm a Provisional Order made by the County Council of Norfolk under the Allotments Acts, 1887 and 1890, relating to the Parish of Saint Faith's, in the Rural Sanitary District of the Saint Faith's Union. (*Allotments Provisional Order Confirmation.*)

P. cxi. An Act to facilitate the rebuilding of the Court Houses for the county of Cork and city of Cork, and for other purposes. (*Cork (County and City) Court Houses.*)

ROYAL ASSENT, 21st July 1891.

cxii. An Act to repeal the Acts relating to the Imperial Fire Insurance Company as from the date of its registration as a Limited Company and to re-enact parts of those Acts to change the name of the Company and for other purposes. (*Imperial Insurance Company's.*)

cxiii. An Act to confer further powers on the Plymouth Devonport and South Western Junction Railway Company. (*Plymouth Devonport and South Western Junction Railway.*)

cxiv. An Act to confer further powers on the Manchester Sheffield and Lincolnshire Railway Company in connexion with their Undertaking and the Undertakings of other Companies in which they are jointly interested and to authorise the Manchester South Junction and Altrincham Railway Company to construct a Railway and other works and for other purposes. (*Manchester Sheffield and Lincolnshire Railway* (*Various Powers*).)

cxv. An Act to extend the time for the compulsory purchase of lands for certain railways authorised by the St. Helens and Wigan Junction Railway Act 1885 and the St. Helens and Wigan Junction Railway Act 1886 and to provide for the issue of preference or guaranteed shares or stock and for other purposes. (*Liverpool, St. Helens and South Lancashire Railway.*)

cxvi. An Act to extend the time for the restoration and completion of works for enlarging and improving the Port and Harbour of Neath to confer further borrowing powers upon the Neath Harbour Commissioners and for other purposes. (*Neath Harbour.*)

cxvii. An Act for conferring powers on the Local Board for the district of Penmaenmawr in the county of Carnarvon for the construction of additional Waterworks and the raising of moneys and in relation to the local government of the district and for other purposes. (*Penmaenmawr Local Board.*)

cxviii. An Act to authorise the Southwark and Vauxhall Water Company to raise additional Capital and for other purposes. (*Southwark and Vauxhall Water.*)

cxix. An Act for amending the Stourbridge Improvement Act 1866 and conferring further powers on the Stourbridge Improvement Commissioners and for other purposes. (*Stourbridge Improvement Commissioners.*)

cxx. An Act for the abandonment of the Railways authorised by the Great Western and Great Northern Junction Railway Act 1888. (*Great Western and Great Northern Junction Railway* (*Abandonment*).)

cxxi. An Act to confer further powers upon the London and South-western Railway Company and to make further provision with respect to their Undertaking and other Undertakings in which they are interested to enable the Company and the Midland Railway Company to widen parts of the Somerset and Dorset Railway and for other purposes. (*South-western Railway.*)

cxxii. An Act to enable the Mayor Aldermen and Burgesses of the Borough of Newark to construct Waterworks and supply Water to the said Borough and adjacent places and to acquire the Undertaking of the Newark-upon-Trent Waterworks Company and for other purposes. (*Newark Corporation.*)

cxxiii. An Act for constituting a portion of the Railways authorised by the North Cornwall Railway Act 1882 a separate Undertaking and for other purposes. (*North Cornwall Railway.*)

cxxiv. An Act to extend the Municipal Boundary of the City of Aberdeen to make further provisions with respect to the rates and assessments leviable by the Town Council to provide for the creation and issue of Corporation Stock and for other purposes. (*Aberdeen Corporation.*)

cxxv. An Act to authorise the making of a Deep Water Harbour at Dover in substitution for the Deep Water Harbour now authorised to be made there and for other purposes. (*Dover Harbour.*)

cxxvi. An Act to repeal the Special Acts of the London Assurance and to make further provisions in relation to the laws objects and regulations of the London Assurance and for other purposes. (*London Assurance.*)

cxxvii. An Act to enable the Local Board for the District of Clevedon in the County of Somerset to acquire the Undertaking of the Clevedon Pier Company to make and maintain a new Pier Head and to make further provisions for the improvement and good government of their District and for other purposes. (*Clevedon Local Board.*)

cxxviii. An Act for the abandonment of the Flamborough Head Tramways and for authorising the repayment of the money deposited for securing the completion thereof. (*Flamborough Head Tramways (Abandonment).*)

cxxix. An Act for conferring further Powers on the Bristol United Gaslight Company. (*Bristol Gas.*)

cxxx. An Act to extend the Boundaries of the City of Glasgow and for other purposes. (*City of Glasgow.*)

cxxxi. An Act to revive the Powers and extend the Time for the compulsory purchase of Lands for and for the completion of the Railways and Pier authorised by the Swindon Marlborough and Andover Railway Acts 1882 and 1883 and the South Hampshire Railway and Pier Acts 1886 and 1889 (*South Hampshire Railway and Pier.*)

cxxxii. An Act to extend the time for the completion of the Tramways authorised by the West Metropolitan Tramways Act 1889 and for other purposes. (*West Metropolitan Tramways.*)

cxxxiii. An Act for the Abandonment of the Beverley and East Riding Railway. (*Beverley and East Riding Railway (Abandonment).*)

cxxxiv. An Act to empower the Northallerton Local Board to make Waterworks and supply Water and for other purposes. (*Northallerton Waterworks.*)

cxxxv. An Act to extend the time for the completion of the Mundesley Branch of the Eastern and Midlands Railway. (*Eastern and Midlands Railway (Extension of Time).*)

cxxxvi. An Act to amend the Acts relating to the Municipality and Police and Roads and Streets of the City and Royal Burgh of Edinburgh, and to confer further sanitary powers on the Magistrates and Council thereof; and for other purposes. (*Edinburgh Municipal and Police (Amendment).*)

cxxxvii. An Act for conferring further powers upon the London and North-western Railway Company in relation to their own Undertaking and other Undertakings in which they are interested jointly with other Companies and also for conferring Powers upon the Great Western Railway Company the Central Wales and Carmarthen Junction Railway Company the Harrow and Stanmore Railway Company and other Railway Companies in relation to such other Undertakings and for vesting in the London and North-western Railway Company the Undertaking of the Central Wales and Carmarthen Junction Railway Company and for other purposes. (*London and North-western Railway.*)

cxxxviii. An Act to authorise the Manchester Sheffield and Lincolnshire Railway Company to make deviation and other Railways to confer further powers on the Company and for other purposes. (*Manchester Sheffield and Lincolnshire Railway.*)

cxxxix. An Act to empower the Pontypool Local Board to establish and maintain markets and fairs and to acquire existing markets and market rights and for other purposes. (*Pontypool Local Board (Markets).*)

cxl. An Act to extend the time for the purchase of land and for the completion of the Shropshire Railways to authorise the Shropshire Railways Company to create and issue additional Debenture Stock and for other purposes. (*Shropshire Railways.*)

cxli. An Act for conferring further powers on the Furness Railway Company. (*Furness Railway.*)

cxlii. An Act to wind up the affairs of the Westminster Improvement Commissioners and to distribute their Assets under the direction and control of the High Court and to dissolve the said Commissioners and for other purposes. (*Westminster Improvement Commissioners Winding-up.*)

cxliii. An Act for the construction of a Wharf Pier and other works and formation of a Harbour at Lynmouth in the County of Devon and for other purposes. (*Lynmouth Harbour.*)

P. **cxliv.** An Act to accelerate the proceedings for the Registration of Burgesses in the Boroughs of Dublin and Belfast, and to alter certain dates and periods connected therewith. (*Municipal Registration (Dublin and Belfast).*)

P. **cxlv.** An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Cirencester Gas, Godstone District Gas, Matlock and District Gas, and Staines and Egham Gas. (*Gas Orders Confirmation.*)

P. cxlvi. An Act to confirm a Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to Forfar Water. (*Forfar Water Order Confirmation.*)

P. cxlvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Corsham Water, North Sussex Water, Rochford Rayleigh and Leigh Water, and Swaffham Water. (*Water Orders Confirmation.*)

P. cxlviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bradford and Wyke Tramway, Church and Oswaldtwistle Tramways, and Matlock Tramway. (*Tramways Orders Confirmation* (*No.* 1).)

P. cxlix. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Bangor, Blackpool (South), Blackpool (South Shore), Sligo, and Stonehaven. (*Pier and Harbour Orders Confirmation* (*No.* 2).)

P. cl. An Act to confirm a Provisional Order made by the Local Government Board for Ireland relating to the Town of Dundalk. (*Local Government Board* (*Ireland*) *Provisional Order Confirmation* (*No.* 5).)

P. cli. An Act to confirm a Provisional Order made by the Education Department under the Elementary Education Act, 1870, to enable the School Board for London to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same. (*Education Department Provisional Order Confirmation* (*London*).)

P. clii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Southborough Gas, Woking District Gas, Cirencester Water, Matlock Water, and Seaton and Beer Water. (*Gas and Water Orders Confirmation.*)

P. cliii. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Alloa, Alva, and Logie, in the counties of Clackmannan, Perth, and Stirling. (*Alloa, Alva, and Logie Order Confirmation.*)

P. cliv. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Cawdor, Croy and Dalcross, Daviot and Dunlichity, Inverness, and Nairn, in the counties of Inverness and Nairn. (*Cawdor, &c. Order Confirmation.*)

P. clv. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parishes of Kinnell, Lunan, and Maryton, in the county of Forfar. (*Kinnell, Lunan, and Maryton Order Confirmation.*)

P. clvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Ashton-under-Lyne (two), Blackpool, and York (two). (*Local Government Board's Provisional Orders Confirmation* (*No.* 7).)

P. clvii. An Act to confirm an Order of the Boundary Commissioners for Scotland relating to the parish of New or East Kilpatrick in the counties of Dumbarton and Stirling. (*New or East Kilpatrick Order Confirmation.*)

Royal Assent, 28th July 1891.

P. clviii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Barrow-in-Furness, Grimsby, Newton-in-Mackerfield, Reading, and Swindon New Town, to the Rural Sanitary District of the Burnley Union, and to the Wirral Joint Hospital District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 12).)

P. clix. An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Poole. (*Pier and Harbour Order Confirmation* (*No.* 3).)

P. clx. An Act to confirm a Provisional Order made by the Board of Trade under the Merchant Shipping Act Amendment Act, 1862, relating to the Pilotage district of Bristol. (*Pilotage Order Confirmation* (*No.* 1).)

P. clxi. An Act to confirm a Provisional Order of the Local Government Board relating to the City of Birmingham. (*Local Government Board's Provisional Order Confirmation* (*No.* 13).)

P. clxii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bristol Tramways (Extension), and Liverpool Corporation Tramways (Extensions). (*Tramways Orders Confirmation* (*No.* 2).)

P. clxiii. An Act to confirm a Provisional Order of the Local Government Board, under the Highways and Locomotives (Amendment) Act, 1878, relating to the County of Berks. (*Local Government Board's Provisional Order Confirmation* (*Highways*).)

clxiv. An Act to confirm and give effect to an agreement for the working of certain parts of the South Yorkshire Junction Railway by the Hull Barnsley and West Riding Junction Railway and Dock Company. (*Hull and Barnsley and South Yorkshire Junction Railways.*)

clxv. An Act for vesting in the Ecclesiastical Commissioners the endowments of the Rectory of Handsworth in the county of Stafford and for the re-endowment of the said Rectory and the transfer of the advowson to the See of Lichfield and for the endowment or augmentation of new districts within the parish of Handsworth aforesaid and for other purposes. (*Handsworth Rectory.*)

clxvi. An Act to confer further powers on the North Eastern Railway Company and to enable the North Eastern Railway Company and the London and North Western Railway Company to enlarge Leeds New Station and for other purposes. (*North Eastern Railway.*)

clxvii. An Act to empower the Freshwater Yarmouth and Newport Railway Company to raise further capital and for other purposes. (*Freshwater Yarmouth and Newport Railway.*)

clxviii. An Act for empowering the Harrow Road and Paddington Tramways Company to construct New Tramways; and for other purposes. (*Harrow Road and Paddington Tramways.*)

clxix. An Act to authorise the Police Commissioners of the Burgh of Alloa to provide an additional Water Supply to the Burgh and places adjacent; and to make and maintain new and additional Waterworks; and for other purposes. (*Alloa Water.*)

clxx. An Act to authorise the Undertakers of the Navigation of the Rivers of Aire and Calder in the West Riding of the County of York to make a new Canal from the River Dun Navigation to join the Knottingley and Goole Canal and to widen a portion of the last-mentioned Canal to provide for the Sheffield and South Yorkshire Navigation Company becoming joint owners of the new Canal and for other purposes. (*Aire and Calder and River Dun Navigation Junction Canal.*)

clxxi. An Act for conferring further powers upon the Burry Port and Gwendreath Valley Railway Company. (*Burry Port and Gwendreath Valley Railway.*)

clxxii. An Act to enable the Corporation of Bournemouth to make and maintain a New Cemetery in the Parish of Christchurch. (*Bournemouth East Cemetery.*)

clxxiii. An Act to confer further powers on the Lostwithiel and Fowey Railway Company and on other Companies and for other purposes. (*Lostwithiel and Fowey Railway.*)

clxxiv. An Act for the abandonment of the Lincoln Horncastle Spilsby and Skegness Railway. (*Lincoln Horncastle Spilsby and Skegness Railway (Abandonment).*)

clxxv. An Act to extend the time for the completion of the authorised railway of the Birmingham and Henley-in-Arden Railway Company and for other purposes. (*Birmingham and Henley-in-Arden Railway.*)

clxxvi. An Act to authorise the use of electrical and other power on the Glasgow Street Tramways and for other purposes. (*Glasgow Corporation.*)

clxxvii. An Act to amend the Acts relating to and to confer further powers for the maintenance and construction of works and otherwise upon the Company of Proprietors of the Canal Navigation from Leeds to Liverpool to Change the Name of the Company; and for other purposes. (*Leeds and Liverpool Canal.*)

clxxviii. An Act for authorising the Rhondda and Swansea Bay Railway Company to extend their Railways and for other purposes. (*Rhondda and Swansea Bay Railway.*)

clxxix. An Act to make further provision for the improvement health and good government of the Borough of Dewsbury and for other purposes. (*Dewsbury Improvement.*)

clxxx. An Act to confer further powers on the Falmouth Waterworks Company. (*Falmouth Water.*)

clxxxi. An Act to enable the Manchester Ship Canal Company to raise additional loan capital for the completion of their Undertaking and to authorise the Mayor Aldermen and Citizens of the City of Manchester in the County of Lancaster to lend money to the said Company and for that purpose to raise additional moneys by mortgage or the issue of Corporation Stock and to extend the time for the completion of the said Undertaking and for other purposes. (*Manchester Ship Canal.*)

clxxxii. An Act for rendering valid certain Letters Patent granted to Eugène Worms of Paris in the Republic of France and Jean Balé of the same place Engineers for Improved Process and Apparatus for Tanning by aid of Electricity. (*Worms and Balés Patent.*)

ROYAL ASSENT, 5th August 1891.

clxxxiii. An Act for conferring further powers upon the Great Western Railway Company in respect of their own undertaking and upon that Company and the London and North Western Railway Company in respect of undertakings in which they are jointly interested and for other purposes. (*Great Western Railway.*)

clxxxiv. An Act to enable the Barry Dock and Railways Company to construct new Railways and for other purposes. (*Barry Dock and Railways.*)

clxxxv. An Act to vary and amend the provisions of the South Staffordshire Mines Drainage Acts 1873 to 1882. (*South Staffordshire Mines Drainage.*)

clxxxvi. An Act to determine the rights of the Debenture Stockholders of the Golden Valley Railway Company and for other purposes. (*Golden Valley Railway.*)

clxxxvii. An Act to extend the time for the compulsory purchase of lands and for completing the Metropolitan Outer Circle Railway. (*Metropolitan Outer Circle Railway* (*Extension of Time*).)

clxxxviii. An Act for incorporating the Bognor Water Company and for enabling them to construct and maintain Waterworks and supply Water and for other purposes. (*Bognor Water.*)

clxxxix. An Act for making and maintaining Railways in the Counties of Chester Lancaster Derby Nottingham and Lincoln to be called the Lancashire Derbyshire and East Coast Railway and for other purposes. (*Lancashire Derbyshire and East Coast Railway.*)

cxc. An Act to revive the powers for the compulsory purchase of lands and to extend the time limited for the completion of the Exeter Teign Valley and Chagford Railway. (*Exeter Teign Valley and Chagford Railway* (*Extension of Time*).)

cxci. An Act to provide for the pulling down of the Parish Church of Hanover Chapel (Regent Street) and building a new Parish Church instead thereof and for other purposes. (*Hanover Chapel (Regent Street).*)

cxcii. An Act to authorise the North British Railway Company to construct and widen certain Railways divert Streets and construct a new Street and acquire Lands for the purpose of enlarging and improving their Waverley Passenger and Goods Station at Edinburgh and for other purposes. (*North British Railway (Waverley Station, &c.).*)

cxciii. An Act for enabling the Caledonian Railway Company to make and maintain certain Railways in the County of Lanark and to abandon a portion of the Glasgow Central Railway to increase their subscriptions to the Undertaking of the Lanarkshire and Ayrshire Railway Company for reviving the powers of purchase of lands for and extending the time for the completion of certain Railways and Works for authorising the purchase of the Shield Hall Branch Railway by the Caledonian and Glasgow and South Western Railway Companies for modifying certain of the rights of the North Eastern and Great Northern Railway Companies in connexion with the Scottish Central and Scottish North Eastern Railways and for other purposes. (*Caledonian Railway (Additional Powers).*)

cxciv. An Act to authorise the Glasgow Yoker and Clydebank Railway Company to make a Branch Railway in the Parish of Old Kilpatrick and for other purposes. (*Glasgow Yoker and Clydebank Railway.*)

cxcv. An Act for amending the powers of the Corporation of Wolverhampton in regard to their sewage outfall and the disposal of their sewage and for other purposes. (*Wolverhampton Corporation.*)

cxcvi. An Act for incorporating the Central London Railway Company and for empowering them to construct underground railways from Shepherd's Bush to the City of London and for other purposes. (*Central London Railway.*)

cxcvii. An Act to authorise the Glasgow and South Western Railway Company to provide and use Steam Vessels between Ports and Places in the River and Firth of Clyde. (*Glasgow and South Western Railway (Steam Vessels).*)

cxcviii. An Act to authorise the Guiseley Yeadon and Rawdon Railway Company to extend their Railway to the North Eastern Railway near Headingley and for other purposes. (*Leeds and Yeadon Railway.*)

cxcix. An Act to extend the time for the construction of certain waterworks authorised by the Keighley Waterworks Extension and Improvement Act 1869 to authorise the Corporation of Keighley to construct additional waterworks to make better provision for the health local government and improvement of the borough and for other purposes. (*Keighley Corporation.*)

cc. An Act to authorise the Kirkcaldy and District Railway Company to make a new Railway to extend the time limited for the completion of their authorised Railways Dock and Works and for other purposes. (*Kirkcaldy and District Railway.*)

cci. An Act to authorise the construction of a Railway from the Caledonian Railway at Glasgow to Dumbarton with subsidiary lines and other works in connexion therewith and for other purposes. (*Lanarkshire and Dumbartonshire Railway.*)

ccii. An Act to confer further Powers on the London Tilbury and Southend Railway Company. (*London Tilbury and Southend Railway.*)

cciii. An Act to authorise the North British Railway Company to construct certain new Railways in the Counties of Dumbarton Lanark and Stirling to widen their Arbroath and Montrose Railway and to execute other works to acquire additional lands to amalgamate the Blane Valley and the Strathendrick and Aberfoyle Railway Companies respectively with the Company to acquire the Port and Harbour of Alloa to purchase the Whiteinch Railway and adapt the same for passenger traffic to vary the powers of the Eyemouth Railway Company and for other purposes. (*North British Railway* (*General Powers*).)

cciv. An Act to authorise the construction of a Railway in the West Riding of the County of York, and in the County of Nottingham, from Rotherham through Blyth to Sutton, with a Branch to Treeton, and for other purposes. (*Rotherham, Blyth and Sutton Railway.*)

ccv. An Act to provide for the reception of Sewage from Tottenham and Wood Green in the County of Middlesex into the Main Drainage System of the London County Council and for other purposes. (*Tottenham and Wood Green Sewerage.*)

ccvi. An Act to confer powers on the London County Council for the reconstruction of Bridges the improvement of Streets and the acquisition and management of Land for various purposes in the Administrative County of London to provide for contributions by Local Bodies towards the cost of certain Works to empower the Council to grant Superannuation Allowances in certain cases to establish a Provident Fund for officers and servants and to hold inquiries as to Markets and for other Purposes. (*London Council* (*General Powers*).)

ccvii. An Act to enable the Mayor Aldermen and Citizens of the City of Manchester to establish and contribute towards a Fund for the encouragement of Thrift amongst their Officers and Servants to confer upon them further powers and make further provision with respect to the improvement health and good government of the City to provide for vesting in the said Mayor Aldermen and Citizens as an open space the St. Michael's disused Burial Ground to amend and extend the provisions of the Local Acts relating to the City of Manchester and for other purposes. (*Manchester Corporation.*)

ccviii. An Act to authorise the construction of a Railway in extension of the Snailbeach District Railway in the County of Salop and for other purposes. (*Shropshire Mineral (Light) Railway.*)

ccix. An Act for empowering the Southwark and Deptford Tramways Company to construct New Tramways and to change the Name of the Company and for other purposes. (*London Deptford and Greenwich Tramways.*)

P. ccx. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Basingstoke and Newport. (*Local Government Board's Provisional Orders Confirmation (No. 9).*)

P. ccxi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Blackpool, Leicester (two), Salford, Stafford, West Ham, and Worthing, and to the Conway and Colwyn Bay Joint Water Supply District. (*Local Government Board's Provisional Orders Confirmation (No. 14).*)

P. ccxii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to the City of London, Clerkenwell, St. Luke, Chelsea, St. Luke, Middlesex, and Woolwich. (*Electric Lighting Orders Confirmation (No. 10).*)

P. ccxiii. An Act to confirm certain Provisional Orders of the Local Government Board under the Housing of the Working Classes Act, 1890, relating to the Urban Sanitary Districts of Brighton and Salford. (*Local Government Board's Provisional Orders Confirmation (Housing of Working Classes).*)

P. ccxiv. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Great Eastern Railway Company, and certain other Railway Companies connected therewith. (*Great Eastern Railway Company (Rates and Charges) Order Confirmation.*)

P. ccxv. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Great Northern Railway Company, and certain other Railway Companies connected therewith. (*Great Northern Railway Company (Rates and Charges) Order Confirmation.*)

P. ccxvi. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the London and South Western Railway Company, and certain other Railway Companies connected therewith. (*London and South Western Railway Company (Rates and Charges) Order Confirmation.*)

P. ccxvii. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the London, Brighton, and South Coast Railway Company, and certain other Railway Companies connected therewith. (*London, Brighton, and South Coast Railway Company* (*Rates and Charges*) *Order Confirmation.*)

P. ccxviii. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the London, Chatham, and Dover Railway Company, and certain other Railway Companies connected therewith. (*London, Chatham, and Dover Railway Company* (*Rates and Charges*) *Order Confirmation.*)

P. ccxix. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Midland Railway Company, and certain other Railway Companies connected therewith. (*Midland Railway Company* (*Rates and Charges*) *Order Confirmation.*)

P. ccxx. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the South-Eastern Railway Company, and certain other Railway Companies connected therewith. (*South-Eastern Railway Company* (*Rates and Charges*) *Order Confirmation.*)

P. ccxxi. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the London and North Western Railway Company, and certain other Railway Companies connected therewith. (*London and North Western Railway Company* (*Rates and Charges*) *Order Confirmation.*)

P. ccxxii. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Great Western Railway Company, and certain other Railway Companies connected therewith. (*Great Western Railway Company* (*Rates and Charges*) *Order Confirmation.*)

P. ccxxiii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Burslem, Middleton, and Morley. (*Local Government Board's Provisional Orders Confirmation* (*No.* 15).)

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTERS,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to enable the Trustees of the Will of Philip William Flower deceased to postpone the sale and conversion of certain Real Estates held on the trusts of his Will and give them powers with reference thereto. (*Flower's Estate.*)
2. An Act to confer powers on the Executors and Trustees of the Will of the late Thomas Andrew Walker in relation to his real and personal estate and various contracts entered into by him for the execution of Public Works. (*Walker's Estate.*)

TABLE

Showing the Effect of the Year's Legislation.

ACTS OF FORMER SESSIONS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF 54 & 55 VICT.*

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 54 & 55 Vict.
7 Ann. c. 20 -	Middlesex Registry - -	Amended - -	10.
		Ss. 2 from "in manner following," 3–7, 11–14, 16, 19, 20, 22 repealed.	64, s. 7.
25 Geo. 2. c. 4 -	Middlesex Registry - -	Repealed - -	
26 Geo. 3. c. 71 -	Slaughter-houses for horses -	Repealed as to London -	76, s. 142.
39 & 40 Geo. 3. c. 72.	Duties on stamped vellum, &c. -	Repealed - -	38, s. 28.
42 Geo. 3. c. 56 -	Stamp duties on medicines -	Ss. 18, 25, 28, repealed -	
52 Geo. 3. c. 150	Duties on medicines - -	Ss. 2 from "to be recovered," 3 repealed.	
55 Geo. 3.:			
c. 115	Russian Dutch loan - -	Repealed (but see date) -	26, s. 1.
c. 184	Stamp duties - - -	Ss. 52, 53 repealed - -	38, s. 28.
57 Geo. 3. c. 41 -	Office of Agent-General - -	S. 8 repealed - -	39, s. 123.
1 & 2 Geo. 4. c. 48.	Attorneys and solicitors - -	Repealed - -	67 (Stat. Law Rev.)
3 Geo. 4. c. 16 -	Attorneys and solicitors - -	Repealed - -	
4 Geo. 4.:			
c. 60	Illegal lotteries - - -	S. 38 repealed - -	
c. 61	Court of Chancery (Ireland) -	Ss. 8, 13–17, 24, 33, 34, 43–50, 55, 58 repealed -	
c. 80	Protection of Lascars - -	Ss. 29, 30 repealed -	
5 Geo. 4. c. 83 -	Vagrant Act - - -	S. 4 extended - -	69, s. 7.
6 Geo. 4.:			
c. 30	Court of Chancery (Ireland) -	Repealed - -	67 (Stat. Law Rev.)
c. 87	British consuls - - -	Repealed, except ss. 10–15 in part.	36, s. 4.
7 Geo. 4. c. 14 -	Asylums for lunatic poor (Ireland).	S. 3 repealed - -	67 (Stat. Law Rev.)
7 & 8 Geo. 4. c. 53	Excise - - -	S. 30 repealed - -	
9 Geo. 4.:			
c. 24	Promissory notes, &c. (Ireland)	Ss. 3, 5 repealed - -	
c. 35	Protection of purchasers (Ireland).	Repealed - -	
c. 92	Savings banks - - -	S. 35 amended; and from "nor to receive," rep.	21, ss. 11, 18.

* Acts continued annually by the Expiring Laws Continuance Act are not noticed in this Table.

Repeals by the Statute Law Revision Act are not generally noticed, as being of little practical importance. When, however, a repeal extends to the whole Act, or even entire sections or schedules, it is entered in the Table.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 54 & 55 Vict.
10 Geo. 4. c. 7 -	Roman Catholic Emancipation -	S. 13 repealed - -	67 (Stat. Law Rev.)
11 Geo. 4. & 1 Will. 4. c. 70.	Administration of justice -	S. 7 repealed - -	
1 Will. 4.:			
c. 7	Execution of judgments - -	Repealed - -	
c. 21	Proceedings in prohibition and on writs of mandamus.		
1 & 2 Will. 4:			
c. 31	Administration of justice (Ireland)	Ss. 4, 8, 15, 22 repealed -	
c. 32	Game laws - - -	Ss. 39, 40, 43 repealed (except as to Ireland).	
2 & 3 Will. 4:			
c. 4	Embezzlement by persons in public service.	Repealed - - -	67 (Stat. Law Rev.)
c. 48	Clerk of the Crown, Court of King's Bench (Ireland).	Ss. 14, 15 repealed -	
c. 65	Representation of the people (Scotland).	Ss. 23, 29, 34, 41 repealed	
c. 68	Trespassing in pursuit of game (Scotland).	Ss. 9, 10, 13–15 repealed	
c. 75	Schools of anatomy - -	S. 16 repealed - -	
c. 81	Russian Dutch loan - -	Repealed (but see date of repeal).	26, s. 1.
c. 86	Post roads (Ireland) - -	Repealed - - -	67 (Stat. Law Rev.)
c. 87	Registration of deeds (Ireland) -	Sch. A. repealed - -	
c. 88	Representation of the people (Ireland).	Ss. 2, 6, 13, 14, 27, 55–58, 62, 64, 67, 68, Sch. A. repealed.	
c. 120	Stage carriages (Great Britain) -	Ss. 108, 110, 111, 113, Sch. B. repealed.	
c. 123	Abolition of punishment of death for forgery.	Repealed - -	
3 & 4 Will. 4.:			
c. 14	Savings banks - - -	S. 29 amended - -	21, s. 11.
c. 68	Sale of wine, &c. (Ireland) -	Ss. 22–38 repealed -	67 (Stat. Law Rev.)
c. 76	Election of magistrates, &c. of royal burghs (Scotland).	Ss. 1–3, 6, 9, 30, Schs. A., B., D., E. repealed.	
c. 77	Election of magistrates, &c. of burghs (Scotland).	Ss. 2, 4–9, 29, Schs. A., B. repealed.	
c. 92	Public infirmaries (Ireland) -	Ss. 6, 7 repealed - -	
4 & 5 Will. 4.:			
c. 78	Court of Chancery (Ireland) -	Ss. 1–7, 9, 12–18, 36 rep.	
c. 92	Abolition of fines and recoveries (Ireland).	S. 67 repealed - -	
5 & 6 Will. 4.:			
c. 16	Commitment for contempt, &c. (Ireland).	Ss. 1–11, 13, 19 repealed	
c. 27	Linen and hempen manufactures (Ireland).	S. 31 repealed - -	
c. 33	Vexatious removal of indictments	Repealed - -	
c. 55	Appointment of sheriffs, &c. (Ireland).	Ss. 32–38 repealed -	
c. 70	Abolition of imprisonment for small debts (Scotland).	Repealed - -	
6 & 7 Will. 4.:			
c. 32	Benefit Building Societies -	S. 8 restricted - -	39, s. 89.
c. 37	Making and sale of bread -	Ss. 18–23, 26, 28 repealed	67 (Stat. Law Rev.)
c. 38	Sale of wine, &c. by retail (Ireland).	Ss. 13, 14 repealed -	
c. 41	Abolition of Commissary Court (Edinburgh).	Repealed - - -	
c. 56	Cessio bonorum (Scotland) -	Ss. 2, 15, 19, 20 repealed	

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 54 & 55 Vict.
6 & 7 Will. 4.—*cont.*			
c. 71	Commutation of tithes	Amended; s. 84 repealed	8.
		S. 70 repealed	67 (Stat. Law Rev.)
c. 74	Court of Chancery (Ireland)	Ss. 3, 4, 7, 8, 13, 17, 33, schedules repealed.	67 (Stat. Law Rev.)
c. 89	Medical witnesses at coroners' inquests.	S. 7 repealed	67 (Stat. Law Rev.)
c. 97	Duty on pensions, &c.	S. 2 repealed	67 (Stat. Law Rev.)
c. 116	Presentments by grand juries (Ireland).	Ss. 90, 116, 129, 156–161, 163, 164, 173 repealed.	67 (Stat. Law Rev.)
7 Will. 4. and 1 Vict:			
c. 30	Offices in the Superior Courts of Common Law.	S. 28 repealed	64, s. 7.
c. 33	Management of the Post Office	S. 12 specially applied to S.	46, s. 9.
		Ss. 3–6, 8, 15 repealed	67 (Stat. Law Rev.)
c. 36	Offences against the Post Office	Ss. 33–35, 45, Sch., and (except as to Ireland) ss. 11, 18 repealed.	67 (Stat. Law Rev.)
c. 46	Rolls estate	S. 13 rep. (but see date)	24, s. 5.
c. 69	Commutation of tithes	S. 8 repealed	67 (Stat. Law Rev.)
c. 84	Abolition of punishment of death for forgery.	S. 2 repealed	67 (Stat. Law Rev.)
1 & 2 Vict. c. 27	Offences by insane persons (Ireland).	S. 1 repealed	67 (Stat. Law Rev.)
2 & 3 Vict. c. 47	Police in Metropolis	S. 60 repealed in part (but see date).	76, s. 142.
3 & 4 Vict.:			
c. 62	New South Wales	Repealed	67 (Stat. Law Rev.)
c. 96	Post Office (Duties)	Ss. 19, 21 from "and all," 22–30 repealed.	38, s. 28.
		Ss. 14, 18 repealed	46, s. 13.
		Ss. 24–27, 44, 45, 56, 59, 64 repealed.	67 (Stat. Law Rev.)
5 & 6 Vict.:			
c. 61	Government of South Australia	Ss. 5–8, 10, 11, 13 rep.	67 (Stat. Law Rev.)
c. 103	Offices in Court of Chancery	S. 34 repealed	64, s. 7.
c. 106	Irish fisheries	S. 106 repealed	67 (Stat. Law Rev.)
6 & 7 Vict.:			
c. 18	Parliamentary registration	Ss. 21, 30, 73 (with savings), 77 repealed.	67 (Stat. Law Rev.)
c. 20	Offices on Crown side of Court of Queen's Bench.	Repealed	67 (Stat. Law Rev.)
c. 37	New parishes	S. 25 repealed	67 (Stat. Law Rev.)
c. 38	Judicial Committee of Privy Council.	S. 1 repealed	67 (Stat. Law Rev.)
c. 44	Advances for public works (Ireland).	Repealed	67 (Stat. Law Rev.)
c. 54	Limitation of time for suits as to rights of presentation to churches, &c. (Ireland).	Ss. 1, 2 repealed	67 (Stat. Law Rev.)
c. 77	Cathedral churches in Wales	S. 11 repealed	67 (Stat. Law Rev.)
c. 79	Fisheries Convention with France.	S. 19 repealed	67 (Stat. Law Rev.)
c. 91	Charitable loan societies (Ireland)	Ss. 47–52 repealed	67 (Stat. Law Rev.)
c. 93	Municipal corporations (Ireland)	Amended	cxliv.
c. 98	Suppression of slave trade	S. 2, 5, 6 repealed	67 (Stat. Law Rev.)
7 & 8 Vict.:			
c. 19	Bailiffs of inferior courts	S. 4 repealed	67 (Stat. Law Rev.)
c. 38	Charitable loan societies (Ireland)	Repealed	67 (Stat. Law Rev.)
c. 47	Linen and hempen manufactures (Ireland).	S. 4 repealed	67 (Stat. Law Rev.)

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 54 & 55 Vict.
7 & 8 Vict.—*cont.*			
c. 49	Colonial posts	Ss. 3–5 repealed	
c. 61	Detached parts of counties	S. 1 repealed	
c. 71	Administration of justice (Middlesex).	Repealed, except ss. 8, 9.	67 (Stat. Law Rev.)
c. 83	Savings banks	Rep., except ss. 1, 14, 15	
c. 84	Buildings in the Metropolis	S. 59 repealed	
c. 87	Slaughter-houses for horses	Repealed as to London	76, s. 142.
c. 90	Protection of purchasers, &c.	Ss. 7, 23–29, 34–40 rep.	
c. 91	Turnpike trusts (South Wales)	Repealed, except ss. 106, 107, 109–112, 114.	
c. 92	County coroner	Ss. 7, 29 repealed	
c. 97	Charitable donations, Ireland	Ss. 8, 19 repealed	
c. 106	Grand jury presentments (Dublin)	Ss. 50, 130 repealed	
c. 107	Expenses of superior courts of law (Ireland).	S. 39 repealed	
8 & 9 Vict.:			
c. 30	Administration of justice in Privy Council.	Repealed	
c. 32	Borrowing on county rates (Middlesex).		
c. 41	Highways, bridges, &c. (Scotland)		67 (Stat. Law Rev.)
c. 61	Turnpike trusts (South Wales)	Ss. 3, 9, 11, 14, Schs. rep.	
c. 68	Stay of execution of judgment for misdemeanors.	Repealed	
c. 90	Duties of Customs	Ss. 9–12 repealed	
c. 107	Asylum for criminal lunatics (Ireland).	S. 10 repealed	
c. 114	Abolition of certain fees in criminal proceedings.	S. 2 repealed	
c. 115	Taxing masters, Court of Chancery (Ireland).	Ss. 9, 10, 13 repealed	
c. 118	Inclosure	S. 78 repealed	
c. 128	Tickets of work for silk weavers.	Ss. 4, 5 rep. as to England	
9 & 10 Vict.:			
c. 17	Abolition of exclusive privilege of trading (Scotland).	S. 1 proviso, repealed	39, s. 123.
c. 24	Administration of criminal justice.	Ss. 3, 4 repealed	
c. 37	Coroners, &c. (Ireland)	S. 47 repealed	
c. 73	Commutation of tithes	Ss. 1, 2, 16 repealed (with saving).	
c. 103	Government of New Zealand	Repealed	
c. 112	Leases (Ireland)	S. 4 repealed	
10 & 11 Vict.:			
c. 16	Commissioners clauses	Sch. (D.) repealed	
c. 39	Burgh police, &c. (Scotland)	Repealed	
c. 72	Turnpike roads (South Wales)	Ss. 1–7, 9–12, 15, 16 rep.	
c. 85	Post Office	Ss. 3, 5, 17 repealed	
c. 91	Herring fishery (Scotland)	S. 1 repealed	67 (Stat. Law Rev.)
c. 96	Trustees Relief	S. 5 repealed	
11 & 12 Vict.:			
c. 2	Prevention of crime (Ireland)	Repealed	
c. 5	Government of New Zealand		
c. 12	Security of the Crown, &c.	S. 4 repealed	
c. 29	Killing of hares without game certificates (England).	S. 4 repealed	
c. 30	Killing of hares without game certificates (Scotland).	S. 3 repealed	
c. 43	Summary Jurisdiction	S. 32, Sch. repealed	
c. 55	Paymaster General	S. 1 repealed	
c. 79	Court of Justiciary (Scotland)	Ss. 1, 2, 6, 9 repealed	

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 54 & 55 Vict.
11 & 12 Vict.—*cont.*			
c. 83	Duchies of Cornwall and Lancaster.	S. 15 repealed - -	67 (Stat. Law Rev.)
c. 89	Unlawful combinations, &c. (Ireland).	Repealed - -	
c. 130	Guarantee of interest on certain Colonial loans.		
c. 132	Taxing masters (Ireland) -	Ss. 3, 5, 6, 8 repealed -	
12 & 13 Vict :			
c. 6	Buckinghamshire Summer Assizes.	Repealed - -	
c. 31	Turnpike roads, &c. (Scotland).		
c. 45	Quarter Sessions - -	S. 15 repealed - -	
c. 48	Administration of justice, Vancouver's Island	S. 2 repealed - -	
c. 51	Pupils protection (Scotland) -	S. 39 repealed - -	
c. 66	Colonial Inland Posts - -	S. 5 repealed - -	
c. 68	Consular marriages - -	S. 2 amended; s. 6 rep.; s. 19 explained.	74, ss. 2, 6, 9.
c. 69	Indictable offences (Ireland) -	Ss. 32, 34, 35 repealed -	67 (Stat. Law Rev.)
c. 76	Protection of Women - -	Repealed - - -	
c. 82	Relief of boroughs from certain county expenditure.		
c. 85	Municipal corporations (Dublin)	Amended - - -	cxliv.
c. 91	Collection of rates (Dublin) -	Ss. 57–59, 92 repealed -	67 (Stat. Law Rev.)
c. 96	Admiralty Jurisdiction - -	S. 2 repealed - -	
c. 99	Marriages in chapels of ease (Ireland).	Repealed - - -	
c. 109	Petty Bag Office, &c., Court of Chancery.	Ss. 11–14, 17–20, 28, 32, 33, 38, 40, 50, 51 rep.	
13 & 14 Vict. :			
c. 7	Metropolitan public carriages -	S. 3 repealed - -	
c. 18	Common Law Courts (Ireland)	Ss. 4, 24, 27, 30–37, 40, 41, 46–48 repealed.	
c. 31	Drainage and improvement of land.	S. 1 repealed - -	
c. 36	Court of Session (Scotland) -	Ss. 24, 55 repealed -	
c. 43	Court of Chancery, Lancaster -	Ss. 22, 23, 28, 37 repealed.	
c. 51	Transfer of equitable jurisdiction of Court of Exchequer to Court of Chancery (Ireland).	Ss. 1, 11, 12, 14, 16, 17, 19–21, 23, 28–30 rep.	
c. 68	Elections (Ireland) - -	Ss. 2, 15, Sch. (A) rep.	
c. 69	Qualification, &c. of parliamentary voters, &c. (Ireland).	Ss. 12, 118, Schedules rep.	
c. 74	Office of Registrar of Judgments (Ireland).	S. 9 repealed - - -	
c. 89	Court of Chancery (Ireland) -	Ss. 34, 35, 37–39, 41, 44 repealed.	
c. 91	Jurisdiction of borough justices	Repealed - - -	
c. 97	Stamp duties - - -	Repealed - - -	38, s. 28.
c. 98	Benefices in plurality - -	Ss. 1, 2, 10, 12 repealed -	67 (Stat. Law Rev.)
16 & 17 Vict. :			
c. 128	Nuisance from smoke of furnaces in the Metropolis.	Repealed - - -	76, s. 142.
17 & 18 Vict. :			
c. 104	Merchant Shipping - -	Applied in part to seal fishing in Behring's Sea.	19, s. 1.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 54 & 55 Vict.
18 & 19 Vict. :			
c. 116	Diseases prevention - -	Repealed - -	76, s. 142.
c. 120	Metropolis Management -	Ss. 81, 88, 103, 104, 117, 125, 126 (but see date), 127–129, 132–134 and in part ss. 82–86, 116, 198, 202, 211 repealed	
c. 121	Nuisances removal - -	Repealed - - -	
19 & 20 Vict. :			
c. 107	Smoke nuisance abatement -		
22 & 23 Vict. c. 21	Office of Queen's Remembrancer	S. 7 repealed - -	64, s. 7.
23 & 24 Vict. :			
c. 77	Nuisances removal, &c. -	Repealed - - -	76, s. 142.
c. 111	Duties of stamps - -	S. 22 repealed - -	38, s. 28.
c. 152	Tramways (Ireland) - -	Amended - - -	42.
25 & 26 Vict.:			
c. 22	Customs and Inland Revenue -	S. 41 repealed - -	38, s. 28.
c. 102	Metropolis Management -	Ss. 43, 62, 67, 70, 89, 91, 93–95, and in part ss. 64, 105 repealed.	76, s. 142.
26 & 27 Vict. :			
c. 14	Post Office savings banks -	S. 3 am., and rep. in part	21, ss. 6, 18.
c. 43	Post Office lands - -	S. 3 repealed - -	46, s. 13.
c. 65	Volunteers - - -	Part V. applied to Yeomanry.	54, s. 14.
c. 87	Savings banks - - -	Ss. 8, 16, 39, 55 am.; ss. 38, 39 rep. in part.	21, ss. 8–11, 18.
c. 117	Nuisances removal - -	Repealed - - -	76, s. 142.
27 & 28 Vict. c. 47	Penal servitude - -	Ss. 2, 6 rep.; ss. 4, 8, 9, Sch. A. amended.	69.
28 & 29 Vict. c. 30	Customs and Inland Revenue -	Ss. 1, 2, Sch. B. repealed	39, s. 123.
29 & 30 Vict. :			
c. 41	Nuisances removal - -	Repealed - -	76, s. 142.
c. 90	Sanitary Act - - -	Rep. except s. 41, but ss. 51, 52 (re-enacted by 38 & 39 Vict. c. 55) extended to London.	
30 & 31 Vict. c. 23	Customs and Inland Revenue -	Repealed in part -	38, s. 28.
		residue -	39, s. 123.
31 & 32 Vict. :			
c. 115	Sanitary Act - -	Repealed - - -	76, s. 142.
32 & 33 Vict. :			
c. 42	Irish Church - - -	S. 52 amended - -	48, s. 10.
c. 100	Sanitary loans - -	Repealed - - -	76, s. 142.
33 & 34 Vict. :			
c. 10	Coinage - - -	Amended - - -	72.
c. 24	Metropolitan Board of Works -	Ss. 3, 4 repealed - -	39, s. 123.
c. 53	Sanitary Act - - -	Repealed - - -	76, s. 142.
c. 75	Elementary Education -	S. 17 explained; s. 26 rep.	56, ss. 8, 11.
c. 79	Post Office - - -	S. 6 am.; and rep. in part	46, s. 2.
c. 97	Stamp Act - - -	Repealed in part -	38, s. 28.
		residue -	39, s. 123.
c. 98	Stamp duties management -	Repealed - - -	38, s. 28.
34 & 35 Vict. :			
c. 4	Stamps (duties) - -	Repealed - - -	39, s. 123.
c. 103	Customs and Inland Revenue -	S. 26 repealed - -	
c. 112	Prevention of crime - -	Ss. 5, 8 amended; ss. 7, 15 extended.	69, ss. 4, 6, 7.
35 & 36 Vict. :			
c. 77	Metalliferous Mines Regulation -	S. 34 extended to Isle of Man; s. 43 amended.	47.
c. 79	Public Health - - -	Rep. but ss. 34–36 (re-enacted by 38 & 39 Vict. c. 55) ext. to London.	76, s. 142.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 54 & 55 Vict.
36 & 37 Vict.:			
c. 18	Customs and Inland Revenue -	S. 5 repealed - -	39, s. 123.
c. 63	Law Agents (Scotland) -	S. 8 repealed - -	30, s. 5.
37 & 38 Vict.:			
c. 19	Stamp duties - - -	Repealed - - -	39, s. 123.
c. 26	Canadian Stock Stamp Act -		
c. 67	Slaughter-houses, &c. (Metropolis).	Repealed - - -	76, s. 142.
c. 73	Post Office savings banks -	S. 3 amended - -	21, s. 15.
c. 89	Sanitary Law Amendment -	Repealed (except ss. 46 and 49 in part).	76, s. 142.
38 & 39 Vict.:			
c. 22	Post Office - - -	S. 6 repealed in part -	38, s. 28.
		Ss. 3, 4 extended - -	46, ss. 1–4.
c. 23	Customs and Inland Revenue -	S. 13 repealed - -	38, s. 28.
c. 55	Public Health - -	Ss. 211 (1) (*b*), 230 am. -	33, s. 1.
		S. 291, and in part ss. 108, 115, repealed -	76, ss. 102, 142.
		In part ext. to Woolwich and London.	
c. 63	Sale of Food and Drugs -	S. 16 amended - -	46, s. 11.
39 & 40 Vict.:			
c. 6	Sea Insurance (Stamping of Policies).	Repealed - -	39, s. 123.
c. 16	Customs and Inland Revenue -	S. 11 repealed - -	
c. 79	Elementary Education - -	S. 18 repealed - -	56, s. 11.
40 & 41 Vict.:			
c. 13	Customs, Inland Revenue, and Savings Banks.	S. 17 amended - -	21, s. 15.
c. 59	Colonial Stock - - -	Ss. 2, 3 (1) repealed -	39, s. 123.
41 & 42 Vict.:			
c. 15	Customs and Inland Revenue -	S. 27 repealed - -	39, s. 123.
c. 16	Factories and Workshops -	Ss. 3, 5, 22, 31, 66, 93, 104, Sch. IV. amended.	75.
		Ss. 4, 75, 92, extended -	
		Ss. 6–8, 15 (2), 18, 22 (4), 69, 106 (2), and in part ss. 3, 5, 31, 33, 61, 91, 101 repealed.	
c. 74	Contagious Diseases (Animals) -	S. 34 rep. as to London -	76, s. 142.
c. 77	Highways and Locomotives -	S. 16 am. and rep. in part	63, s. 4.
42 & 43 Vict.:			
c. 54	Poor Law - - -	Ss. 15, 16 repealed -	76, s. 142.
c. 55	Prevention of Crimes - -	S. 2 amended - -	69, s. 4.
43 & 44 Vict.:			
c. 19	Taxes management - -	Am.; ss. 41 (2), 47, 80, Sch. I. virt. rep.	13.
c. 20	Inland Revenue - -	Ss. 53–56 repealed -	39, s. 123.
c. 36	Savings banks - - -	S. 1 amended - - -	21, s. 14.
44 & 45 Vict.:			
c. 12	Customs and Inland Revenue -	Ss. 44–47 repealed - -	39, s. 123.
c. 47	Presumption of life limitation (Scotland).	Repealed - -	29, s. 2.
c. 49	Land Law (Ireland) - -	S. 19 ext.; ss. 43, 44 am.; s. 32 and in part ss. 41, 53 repealed.	48, ss. 26, 30, 35 (4), 43.
c. 58	Army - - - - -	Ss. 73, 90, 91, 145, 146, 156, 183 amended.	5, ss. 4–10.
45 & 46 Vict.:			
c. 23	Bylaws (Fruit-pickers' Lodgings).	Extended to Woolwich -	76, s. 102.
c. 41	Customs and Inland Revenue -	S. 5 (3) repealed - -	38, s. 28.
c. 47	Arrears of rent (Ireland) -	S. 20 repealed - -	48, s. 35 (4).
c. 50	Municipal Corporations - -	Ss. 34, 35 amended -	68, s. 5.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 54 & 55 Vict.
45 & 46 Vict.—*cont.*			
c. 53	Entail (Scotland)	S. 14 amended	29, s. 8.
c. 72	Revenue, Friendly Societies, and National Debt.	S. 15 repealed Ss. 8–10, 13, 14, 17 rep.	38, s. 28. 39, s. 123.
46 & 47 Vict.:			
c. 22	Sea Fisheries	S. 7 (3) am.; ss. 11–14 expl.	37, ss. 5, 13.
c. 35	Diseases prevention (Metropolis)	Repealed	76, s. 142.
c. 37	Support of sewers	Extended to Woolwich	76, s. 102.
c. 43	Tramways and Public Companies (Ireland).	S. 12 repealed	48, s. 35 (4).
c. 52	Bankruptcy	S. 40 restricted	21, s. 13.
c. 53	Factory and Workshop	Ss. 7–12, 17 (2), (3) rep.; s. 18 amended.	75, ss. 36, 39.
		S. 17 (1), (2) rep. as to London.	76, s. 142.
c. 55	Revenue	S. 15 repealed	39, s. 123.
c. 60	Labourers (Ireland)	S. 5 amended	71, s. 3.
47 & 48 Vict.:			
c. 12	Public Health (Confirmation of Byelaws).	Extended to Woolwich	76, s. 102.
c. 60	Metropolitan Asylum Board (Borrowing powers).	Repealed	76, s. 142.
c. 62	Revenue	Ss. 8–10 repealed	39, s. 123.
c. 74	Public Health (Officers)	Extended to Woolwich	76, s. 102.
48 & 49 Vict.:			
c. 51	Customs and Inland Revenue	S. 21 repealed	39, s. 123.
c. 53	Public Health (Members and Officers).	Extended to Woolwich	76, s. 102.
c. 72	Housing of the working classes	Ss. 7, 9 (6) rep. as to London	76, s. 142.
c. 73	Purchase of land (Ireland)	S. 17 amended and expld.; ss. 3, 17, 24 rep. in part.	48, ss. 28 (8), 29, 43.
49 & 50 Vict. c. 32	Contagious Diseases (Animals)	S. 9 rep. as to London	76, s. 142.
50 & 51 Vict.:			
c. 15	Customs and Inland Revenue	Ss. 5–16 repealed	39, s. 123.
c. 27	Markets and Fairs (Weighing of Cattle).	Amended	70.
c. 28	Merchandise Marks	Amended	15.
c. 40	Savings banks	S. 1 from "and shall provide" repealed.	21, s. 18.
51 & 52 Vict.:			
c. 8	Customs and Inland Revenue	Ss. 10–20, Sch. I. repealed	39, s. 123.
c. 22	Factory and Workshop Amendment (Scotland).	Repealed	75, s. 39.
c. 25	Railway and canal traffic	S. 24 explained	12.
c. 41	Local Government	S. 23 amended	4, s. 2.
		Am.; s. 75 (1), (6), (9), (13), (16 (*d*)) repealed.	68.
		S. 24 (2) ext.; ss. 45, 88 (*c*) repealed.	76, s. 42.
c. 42	Mortmain and charitable uses	Amended; s. 10 (iii.) rep.	73.
c. 49	Purchase of Land (Ireland) Amendment.	S. 5 repealed	48, s. 43.
c. 52	Public Health (Buildings in Streets).	Extended to Woolwich	76, s. 102.
c. 54	Sea fisheries regulation	Amended; s. 2 extended	37, Part II.
c. 60	Probate Duties (Scotland and Ireland).	S. 1 amended	48, s. 15 (8).

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 54 & 55 Vict.
52 & 53 Vict.:			
c. 7	Customs and Inland Revenue	Ss. 16, 17 repealed	39, s. 123.
c. 10	Commissioners for oaths	Explained and amended	50.
c. 42	Revenue	Ss. 15–17, 20 repealed	39, s. 123.
c. 50	Local Government (Scotland)	S. 22 (1) amended	58, s. 4.
c. 56	Poor law	Ss. 3, subss. (1)–(3), 6, 7 repealed.	76, s. 142.
c. 62	Cotton cloth factories	S. 12 repealed	75, s. 39.
c. 64	Public Health	Ss. 1, 2 repealed in part	76, s. 142.
c. 72	Infectious Diseases (Notification)	Ss. 2 (*a*), 10, 12, 16 in part, repealed	76, s. 142.
53 & 54 Vict.:			
c. 5	Lunacy	Ss. 24, 27, 55, 56, 61, 254, 341, Sch. II. am.; s. 39 restricted; ss. 94 (2), 116 (2), 148, 338 (2), ext.; ss. 38 (4), 62, 149, 279, and in part ss. 9, 10, 13, 24, 99, 246, 338, Schs. II., IV. repealed	65, ss. 4, 6–11, 16, 26, 27, 29.
c. 8	Customs and Inland Revenue	S. 26 (2) amended	25, s. 4.
		Ss. 18–21 repealed	39, s. 123.
c. 17	Rating of orchards	Extended to Woolwich	76, s. 102.
c. 21	Inland Revenue Regulation	Ss. 16–20 and in part ss. 6, 39 repealed.	24, s. 1.
c. 25	Barracks	S. 4 repealed	54, s. 11 (2).
c. 34	Infectious Disease (Prevention)	Ss. 2, 3, 5 repealed in part	76, s. 142.
c. 41	London County Council (Money)	S. 6 amended	62, s. 4.
c. 47	Marriage	Am.; ss. 6, 7 (2), rep.	74.
c. 50	Local Government (Scotland)	S. 22 amended	58, s. 4.
c. 53	Bills of Sale	S. 1 amended	35.
c. 60	Local taxation (Customs and Excise).	S. 1 amended	4, s. 3.
54 & 55 Vict. c. 1	Seed Potatoes Supply (Ireland)	S. 5 repealed in part	7, s. 2.

A LIST

OF

THE LOCAL AND PRIVATE ACTS,

(54 & 55 Vict., 1891,)

ARRANGED IN CLASSES.

Class 1.—Bridges and Ferries.
„ 2.—Canals, Rivers, Navigations, Tunnels, and Subways.
„ 3.—Charitable Foundations and Institutions.
„ 4.—Drainages and Drainage Embankments.
„ 5.—Ecclesiastical Affairs, including Tithes.
„ 6.—Estates.
„ 7.—Fisheries.
„ 8.—Gaslight Companies and Undertakings.
„ 8A.—Electric Light Companies, &c.
„ 9.—Harbours, Docks, Ports, Piers, Quays, &c.
„ 10.—Improvements in Towns, Municipal and County and Local Government Matters, Markets, &c.
„ 11.—Parks, Commons, and Open Spaces.
„ 12.—Parish Affairs.
„ 13.—Personal Affairs.
„ 14.—Railways.
„ 15.—Trading and other Companies.
„ 16.—Tramways and Tramroads.
„ 17.—Turnpike and other Roads.
„ 18.—Water Companies and Undertakings.
„ 19.—Provisional Orders Confirmation.

Note.—In this Table, words, printed in *italics*, following the Title, are added to explain the principal purposes of the Act; where none are added, and the Title itself conveys no explanation, the Act may be considered as one giving General Powers.

Class 1.—Bridges and Ferries.

Aberdeen Corporation. Ch. cxxiv. (Part V.)
Birkenhead Corporation. Ch. lxxxvii. (Part V.)
Bristol Saint Augustine Bridge. Ch. xii.
London Council (General Powers). Ch. ccvi. (Part I.)

Class 2.—Canals, Rivers, Navigations, Tunnels, and Subways.

Aire and Calder and River Dun Navigations Junction Canal. Ch. clxx.
Bude Harbour and Canal (Further Powers). Ch. lxxv.
Clyde Navigation. Ch. xxxviii.
Leeds and Liverpool Canal. Ch. clxxvii.
Manchester Ship Canal (*Extension of time. Additional loan capital. Power to Manchester Corporation to raise money by Mortgage or Corporation Stock and lend to Company*). Ch. clxxxi.
North Staffordshire Railway (*Construction of new locks on Trent and Mersey Navigation, &c.*). Ch. xxxiv.

Class 3.—Charitable Foundations and Institutions.

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TO THE

PUBLIC GENERAL STATUTES,

54 & 55 VICTORIA.—A.D. 1891.

NOTE.—The capital letters placed after the chapter have the following signification:—

E.	*that the Act relates to*		England (and Wales, if it so extend).
S.	„	„	Scotland exclusively.
I.	„	„	Ireland exclusively.
E. & I.	„	„	England and Ireland.
E. & S.	„	„	England and Scotland.
U.K.	„	„	Great Britain and Ireland (and Colonies, if it so extend).

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Charitable Uses, Power to assure Land by will for. *See* Mortmain and Charitable Uses Act.

Children, Custody of. *See* Custody of Children Act.

——, Restrictions on employment of. *See* Factory and Workshop Act (c. 75, ss. 13, 14, 18, 20, 21).

Church. *See* Tithe.

Civil Service. *See* Consular Salaries and Fees; Land Registry (Middlesex Deeds) Act (c. 64, s. 4); Purchase of Land (Ireland) Act (c. 48, s. 28 (7)); Taxes (Regulation of Remuneration).

Coinage:

To amend the Coinage Act, 1870. Ch. 72. U.K. Page 457.

Commissioners for Oaths:

To amend the Commissioners for Oaths Act, 1889. Ch. 50. U.K. Page 248.

Common Good of Burgh, Power to town council to borrow on security of. *See* Local Authorities Loans (Scotland) Act (c. 34, s. 4 (3)).

Common Grazings. *See* Crofters Common Grazings Regulation Act.

Congested Districts Board (Ireland), Constitution and Powers of. *See* Purchase of Land (Ireland) Act (c. 48, Part II.).

Consolidated Fund:

(No. 1.) To apply certain sums out of the Consolidated Fund to the service of the years ending on the 31st March 1890, 1891, and 1892. Ch. 6. U.K. Page 17.

(No. 2.) To apply the sum of 15,930,002*l.* out of the Consolidated Fund to the service of the year ending on the 31st March 1892. Ch. 27. U.K. Page 63.

Appropriation:

To apply a sum out of the Consolidated Fund to the service of the year ending on the 31st March 1892, and to appropriate the Supplies granted in this Session of Parliament. Ch. 55. U.K. Page 258.

—— *See also* Coinage; Public Accounts and Charges; Purchase of Land (Ireland).

Consular Marriage Act, 1849, Amendment of. *See* Foreign Marriage Act.

Consular Salaries and Fees:
To amend the Law relating to the Salaries and Fees of Consular Officers. Ch. 36. U.K. Page 110.

Cork (County and City) Court Houses. *See* Table II., Ch. cxi.

County Councils, Army Officers not disqualified for. *See* Army (Annual) Act (c. 5, s. 8).

———, Powers of, with respect to Highways and Bridges. *See* Highways and Bridges Act.

———, Powers of, with respect to Bills confirming Provisional Orders. *See* Railway and Canal Traffic (Provisional Orders) Act.

County Councils or Borough Councils, Power to, to contribute to expenses under 51 & 52 Vict. c. 54. *See* Fisheries Act (c. 37, s. 10).

County Councils (Elections):
To alter the Date of holding County Council Elections, and to remove Doubts respecting the Holding of such Elections. Ch. 68. E. Page 447.

Court of Appeal, Ex Lord Chancellor to be a judge of. *See* Supreme Court of Judicature Act (c. 53, s. 1).

Crime, Prevention of. *See* Penal Servitude Act.

Crofters Common Grazings Regulation:
To regulate Crofters Common Grazings in Scotland. Ch. 41. S. Page 205.

Custody of Children:
To amend the Law relating to the Custody of Children. Ch. 3. U.K. Page 11.

Customs and Inland Revenue:
To grant certain Duties of Customs and Inland Revenue and to amend the Law relating to Customs and Inland Revenue. Ch. 25. U.K. Page 60.

D.

Drainage of Land Provisional Orders. *See* Table II., Ch. xxiii. (Land Drainage); Ch. lxi. (Thames Valley Drainage).

Dublin Municipal Registration. *See* Municipal Registration (Dublin and Belfast), Table II., Ch. cxliv.

Dutch Loan. *See* Russian Dutch Loan Act.

E.

EDUCATION. *See*—
ARMY SCHOOLS.
EDUCATION DEPARTMENT PROVISIONAL ORDERS CONFIRMATION.
ELEMENTARY EDUCATION.
MUSEUMS AND GYMNASIUMS.
REFORMATORY AND INDUSTRIAL SCHOOLS.
SCHOOLS FOR SCIENCE AND ART.
TECHNICAL INSTRUCTION.

EDUCATION DEPARTMENT PROVISIONAL ORDERS CONFIRMATION. *See* Table II., Ch. lv. (West Ham, &c.); Ch. cli. (London).

ELECTIONS. *See* COUNTY COUNCILS (ELECTIONS); ELECTORAL DISABILITIES REMOVAL; MUNICIPAL REGISTRATION (DUBLIN AND BELFAST), Table II., Ch. cxliv.; REGISTRATION OF ELECTORS; RETURNING OFFICERS (SCOTLAND).

ELECTORAL DISABILITIES REMOVAL:

To remove certain Disabilities of Persons by reason of absence to be registered as Voters at Parliamentary and Local Elections. Ch. 11. U.K. Page 27.

ELECTORS, REGISTRATION OF. *See* MUNICIPAL REGISTRATION (DUBLIN AND BELFAST), Table II., Ch. cxliv.; REGISTRATION OF ELECTORS.

ELECTRIC LIGHTING ORDERS CONFIRMATION. *See* Table II., Ch. xlix. (No. 1); Ch. l. (No. 2); Ch. li. (No. 3); Ch. lii. (No. 4); Ch. lxii. (No. 5); Ch. lxiii. (No. 6); Ch. lxiv. (No. 7); Ch. lxv. (No. 9); Ch. civ. (No. 8); Ch. cv. (No. 11); Ch. cvi. (No. 12); Ch. ccxii. (No. 10).

ELEMENTARY EDUCATION:

To make further provision for assisting Education in Public Elementary Schools in England and Wales. Ch. 56. E. Page 272.

§ 1. Fee grant and conditions thereof.
2. Limit of fees in schools receiving fee grant.
3 Prohibition of charges in certain schools receiving fee grant.
4. Power to modify limit of fees in certain cases.
5. Provision for free school accommodation.
6. Power to contribute from fee grant to common school fund.
7. Grouping of schools.
8. Explanation of 33 & 34 Vict. c. 75. s. 17.
9. Provision for equality of treatment.
10. Meaning of "school year" and "average attendance."
11. Repeal.
12, 13. Commencement; short title and construction.
SCHEDULE.

ENTAIL (SCOTLAND). *See* PRESUMPTION OF LIFE LIMITATION (SCOTLAND) ACT.

EVIDENCE. *See* CHARITABLE TRUSTS (RECOVERY) ACT (c. 17, s. 5). PUBLIC HEALTH (LONDON) ACT (c. 76, s. 118).

EXPIRING LAWS CONTINUANCE:

To continue various expiring Laws. Ch. 60. U.K. Page 284.

F.

FACTORY AND WORKSHOP:

To amend the Law relating to Factories and Workshops. Ch. 75. U.K. Page 463.

Sanitary Provisions.

§ 1. Powers of Secretary of State as to sanitary provisions in workshops.
2. Powers of factory inspector after notice to sanitary authority.
3. Enforcement by sanitary authority of sanitary provisions as to workshops.
4. Cleanliness and limewashing of workshops.
5. Amendment of 41 & 42 Vict. c. 16. s. 3, as to sanitary provisions.

Safety.

6. Amendment of 41 & 42 Vict. c. 16. s. 5, as to fencing of machinery.
7. Provision against fire.

Special Rules and Requirements.

8. Special rules and requirements as to dangerous and unhealthy incidents of employment.
9. Penalty for contravention of special rules or requirement.
10–12. Amendment, publication, and evidence of special rules.

Period of Employment.

13. Period of employment for women.
14. Notice as to overtime.
15. Period of employment on Saturday for young persons and women not employed more than eight hours.
16. Amendment of 41 & 42 Vict. c. 16. s. 22, as to holidays.

Conditions of Employment.

17. Prohibition of employment of women after child-birth.
18. „ „ children under eleven years of age.
19. Report of certifying surgeon.
20. Certificate of birth in case of children and young persons under 16.
21. Amendment of 41 & 42 Vict. c. 16. s. 61, as to exemption of certain workshops.

Miscellaneous.

22. Amendment of 41 & 42 Vict. c. 16. s. 31, as to notice of accidents.
23. Inspectors in Wales and Monmouthshire.
24. Particulars to be supplied in case of payment by piece.
25. Powers of entry.
26. Notice of opening workshop.
27. Lists of out-workers.
28. Minimum penalties in certain cases.
29. Limitation of time for summary proceedings.
30, 31. Amendment of 41 & 42 Vict. c. 16. ss. 92, 93.
32. Saving for persons employed in process of cleaning fruit.
33. Application to Scotland.
34. Amendment of 41 & 42 Vict. c. 16. s. 106 as to holidays in Ireland.
35. „ „ c. 16. s. 104.
36. „ 46 & 47 Vict. c. 53. s. 18.
37. Definitions of "machinery" and "domestic workshop."
38. Amendment of 41 & 42 Vict. c. 16. Sch. IV.
39. Repeal.
40, 41. Commencement; short title and construction.
SCHEDULES.

——— *See also* PUBLIC HEALTH (LONDON) ACT (c. 76, ss. 25–27, 38).

Finance. *See*—
Coinage.
Consolidated Fund.
Consular Salaries and Fees.
Customs and Inland Revenue.
Elementary Education.
Public Accounts and Charges.
Public Works Loans.
Purchase of Land (Ireland).
Russian Dutch Loan.
Stamp.
Taxes (Regulation of Remuneration).
Western Highlands and Islands (Scotland) Works.

Fire Brigade Superannuation (Manchester) Order Confirmation. *See* Table II., Ch. lix.

Fisheries:
To carry into effect an International Declaration respecting the North Sea Fisheries, and to amend the Law relating to Sea Fisheries and Salmon and Freshwater Fisheries. Ch. 37. U.K. Page 112.

PART I.

Belgian Declaration and Sea Fisheries Act, 1883.

§ 1. Confirmation of Declaration.
2. Powers of Commission appointed under Declaration.
3. Evidence of report or certificate under Article 3 of Declaration.
4. Punishment for violation of Article 4 of Declaration.
5. Forfeiture for offence against 46 & 47 Vict. c. 22. s. 7.
6. Construction, title, and commencement of Part I. of Act.

PART II.

Sea Fisheries Regulation Act, 1888.

7. Extension of powers of local fisheries committee for making byelaws.
8. Jurisdiction as to offences.
9. Powers of local fisheries committee for enforcement of Sea Fisheries Acts.
10. Power for county council, &c. to pay or contribute to expenses under 51 & 52 Vict. c. 54.
11. Construction and short title of Part II. of Act.

PART III.

Salmon and Freshwater Fisheries.

12. Power to constitute Stour fishery district.

PART IV.

General.

13. Explanation as to power of taking legal proceedings for enforcing Fisheries Acts.
14. Short title.
Schedule.

——— *See also* Branding of Herrings (Northumberland); Oyster and Mussel Fishery (Loch Sween) Order Confirmation; Pollen Fisheries (Ireland); Seal Fishery (Behring's Sea).

Foreign Marriage:
To amend and explain the Foreign Marriage Acts. Ch. 74. U.K. Page 460.

§ 1. Short title and construction.
2. Period of residence for marriage.
3. Declaration before marriage.

Foreign Marriage—*continued.*

§ 4. Registration of marriages solemnized under local law.
5. Explanation and extension of 53 & 54 Vict. c. 47. s. 9 as respects the making of regulations by Queen in Council.
6. Explanation of 12 & 13 Vict. c. 68. s. 19 as to the grant of authority to solemnize marriages.
7. Avoidance of objections to marriages on account of want of authority of officer.
8. Power to refuse solemnization of marriage where marriage inconsistent with international law.
9. Abolition of marriage by licence.
10. Explanation as to dispensing with residence and notice under 53 & 54 Vict. c. 47. s. 9.
11. Meaning of ambassador and consular officer.
12. Confirmation of marriages on board Her Majesty's ships.

Forged Transfers :

For preserving Purchasers of Stock from Losses by Forged Transfers. Ch. 43. U.K. Page 207.

Freshwater Fisheries. *See* Fisheries Act (c. 37, Part III.).

G.

Gas Orders Confirmation. *See* Table II., Ch. cxlv.

——— *See also* Table II., Ch. lvi. (Local Government Board (Ireland) Provisional Order Confirmation (Kilrush Gas), Ch. cviii. (Local Government Board's Provisional Orders Confirmation (Gas)).

Gas and Water Orders Confirmation. *See* Table II., Ch. clii.

General Police and Improvement (Scotland) Act, 1862, Provisional Order under. *See* Forfar Water Order, Table II., Ch. cxlvi.

Gold Coins (Light), Provision as to exchange of. *See* Coinage Act.

Governing Bodies, Powers of, with reference to Bills for confirming Provisional Orders. *See* Railway and Canal Traffic (Provisional Orders) Act.

Guaranteed Land Stock, Establishment of. *See* Purchase of Land (Ireland) Act (c. 48, Part I.).

Gymnasiums. *See* Museums and Gymnasiums Act.

H.

Health. *See* Public Health.

Herring Branding (Northumberland) Bill. *See* Branding of Herrings (Northumberland) Act.

Highlands and Islands (Scotland). *See* Western Highlands and Islands (Scotland) Works Act.

Highways and Bridges:
To confer further powers on County Councils and other Authorities with respect to Main Roads and other Highways and Bridges. Ch. 63. E. Page 311.

Highways and Locomotives (Amendment) Act, 1878, Provisional Order under. *See* Local Government Board's Provisional Order Confirmation (Highways), Table II., Ch. clxiii.

House of Lords, Appointment of Assessors on Appeals in Admiralty Actions before. *See* Supreme Court of Judicature Act (c. 53, s. 3).

Housing of the Working Classes Act, 1890, Provisional Orders under. *See* Table II., Ch. liii. (Metropolis (Shelton Street, St. Giles) Provisional Order Confirmation); Ch. lx. (London (Boundary Street, Bethnal Green) Provisional Order Confirmation); Ch. ccxiii. (Local Government Board's Provisional Orders Confirmation (Housing of Working Classes)).

I.

Inclosure (Mungrisdale) Provisional Order Confirmation. *See* Table II., Ch. liv.

Income Tax. *See* Customs and Inland Revenue Act (c. 25, s. 2).

Income Tax, &c. Commissioners, Remuneration of certain officers of, and abolition of poundage. *See* Taxes (Regulation of Remuneration) Act.

Industrial Schools. *See* Reformatory and Industrial Schools Act.

Inhabited House Duty. *See* Customs and Inland Revenue Act (c. 25, s. 4).

——— Abolition of poundage on collection of. *See* Taxes (Regulation of Remuneration) Act.

Inland Revenue. *See* Customs and Inland Revenue; Stamp; Stamp Duties Management; Taxes (Regulation of Remuneration).

Inland Revenue, Receiver General of, Abolition of office. *See* Public Accounts and Charges Act.

Ireland, Acts relating exclusively to. *See*—
Cork (County and City) Court Houses.
Labourers.
Local Registration of Title.
Local Government Board (Ireland) Provisional Orders Confirmation.
Municipal Registration (Dublin and Belfast).
Pollen Fisheries.
Purchase of Land.
Redemption of Rent.

Ireland, Acts relating exclusively to—*continued.*
Seed Potatoes Supply (two Acts).
Tramways (Ireland) Amendment.
Tramways Order in Council (Ireland) (Athenry and Tuam Extension to Claremorris Railway) Confirmation.
Transfer of Railways.
Turbary.

Irish Land Commission. *See* Land Commission (Ireland).

Isle of Man. *See* Metalliferous Mines (Isle of Man); Penal Servitude Act (c. 69, s. 10).

J.

Judicature Acts Amendment Bill. *See* Supreme Court of Judicature Act.

Juries, Exemption of Officers of Post Office from serving on, to have effect in Scotland. *See* Post Office Act (c. 46, s. 9).

Justice, Administration of. *See* Administration of Justice.

L.

Labourers (Ireland):
To amend the Labourers, Ireland, Acts. Ch. 71. I. Page 455.
——— *See also* Purchase of Land (Ireland) Act.

Land. *See*—
Allotments Provisional Order Confirmation.
Allotments Rating Exemption.
Brine Pumping (Compensation for Subsidence).
Charitable Trusts (Recovery).
Crofters Common Grazings Regulation.
Labourers (Ireland).
Land Drainage Provisional Orders.
Land Registry (Middlesex Deeds).
Local Registration of Title (Ireland).
Middlesex Registry.
Mortmain and Charitable Uses.
Post Office Act (c. 46, ss. 6–8).
Purchase of Land (Ireland).
Ranges.
Redemption of Rent (Ireland).
Seed Potatoes Supply (Ireland).
Tithe.
Turbary (Ireland).

Land Commission (Ireland). *See* Turbary (Ireland) Act.

———, Permanent appointment of. *See* Purchase of Land (Ireland) Act (c. 48, s. 28).

———, Transfer to, of powers under Markets and Fairs (Weighing of Cattle) Act, 1887. *See* Markets and Fairs (Weighing of Cattle) Act (c. 70, s. 1).

LAND DRAINAGE PROVISIONAL ORDERS. *See* Table II., Ch. xxiii. (Land Drainage); Ch. lxi. (Thames Valley Drainage).

LAND PURCHASE ACCOUNT, Establishment of. *See* PURCHASE OF LAND (IRELAND) ACT (c. 48, s. 4).

LAND REGISTRY (MIDDLESEX DEEDS):

To transfer the Middlesex Registry of Deeds to the Land Registry, and provide for the conduct of the business thereof. Ch. 64. E. Page 313.

§ 1. Transfer of Middlesex Registry to Land Registry.
2. Rules.
3. Transfer of buildings, effects, and moneys of Middlesex Registry.
4. Existing officers of Middlesex Registry.
5. Discharges of mortgages.
6. Memorials as to judgments, &c., not to be registered.
7. Repeal.
8. Short title and commencement.
SCHEDULES.

——— *See also* MIDDLESEX REGISTRY ACT.

LANDLORD AND TENANT. *See* PURCHASE OF LAND (IRELAND); REDEMPTION OF RENT (IRELAND); TITHE.

LAW AGENTS AND NOTARIES PUBLIC (SCOTLAND):

To amend the Law relating to Law Agents and Notaries Public practising in Scotland. Ch. 30. S. Page 68.

LIFE, Presumption of. *See* PRESUMPTION OF LIFE LIMITATION (SCOTLAND) ACT.

LIGHT GOLD COINS, Provision as to exchange of. *See* COINAGE ACT.

LITERARY INSTITUTIONS, Power to transfer, to Local Authorities. *See* SCHOOLS FOR SCIENCE AND ART ACT.

LOANS. *See* PUBLIC WORKS LOANS; PURCHASE OF LAND (IRELAND); WESTERN HIGHLANDS AND ISLANDS (SCOTLAND) WORKS.

LOCAL AUTHORITY, Power to contribute towards new Post Office. *See* POST OFFICE ACT (c. 46, s. 7).

LOCAL AUTHORITIES LOANS (SCOTLAND):

To provide increased Facilities for the raising of Money by Local Authorities in Scotland by the issue of Debentures, Stock, or otherwise. Ch. 34. S. Page 79.

§§ 1–3. Short title, extent, and commencement of Act.
4. Interpretation.
5. Creation of stock.
6. Confirmation of resolution by Secretary for Scotland.
7. Borrowing power to be exerciseable for actual sum raiseable.
8. Charge of stock.
9. Establishment of consolidated loans fund.
10, 11. Contributions to loans fund for dividends and for extinction of stock.
12. Raising of contributions to loans fund.
13. Payment of sale money, rents, &c. to loans fund.
14, 15. Guarantee rate and mode of levying.
16. Application of loans fund.
17. Extinction of stock redeemed or purchased
18. Account of loans fund.
19. Application of income in reduction of contributions.
20. Determination as to charge of stock.
21. Payment off or substitution for existing securities.

Local Authorities Loans (Scotland)—*continued.*

§ 22. Extinction or suspension of power.
23, 24. Application of money raised.
25–27. Registration and certificates.
28. Power for stockholder to transfer.
29, 30. Transfer in books and by deed.
31. Evidence on transfer.
32. Closing of transfer books.
33. Stamp duty on transfers.
34, 35. Transmission on death, marriage, &c.
36–40. Dividends.
41. Stock certificates with coupons to bearer.
42. Nature of stock: notice of trusts.
43. Judicial factor.
44. Holding of stock by trustees.
45. Protection of holders of stock.
46, 47. Annual returns.
48. Unclaimed dividends.
49–53. Savings.
54. Consents to exercise of powers when unnecessary.
55. Forgery.
56. Orders of Secretary for Scotland.
57. Regulations by bank.
58–60. Forms; fees; expenses.
Schedule.

Local Government. *See*—

Allotments Rating Exemption.
Brine Pumping (Compensation for Subsidence).
County Councils (Elections).
Electoral Disabilities Removal.
Fisheries Act (c. 37, s. 10).
Highways and Bridges.
Labourers (Ireland).
Local Authorities Loans (Scotland).
London County Council (Money).
Lunacy.
Municipal Registration (Dublin and Belfast).
Museums and Gymnasiums.
Post Office Act (c. 46, ss. 7, 8).
Public Health (London).
Public Health (Scotland) Amendment.
Railway and Canal Traffic (Provisional Orders) Amendment.
Ranges Act (c. 54, ss. 2, 4, 5, 7, 9).
Registration of Electors.
Roads and Streets in Police Burghs (Scotland).
Schools for Science and Art.
Seed Potatoes Supply (Ireland).
Technical Instruction.
Western Highlands and Islands (Scotland) Works.

Local Government Board's Provisional Orders Confirmation. *See* Table II., Ch. ii. (Poor Law); Ch. xxv. (No. 3); Ch. lxvi. (No. 2); Ch. lxvii. (No. 4); Ch. lxviii. (No. 5); Ch. lxix. (No. 6); Ch. lxx. (No. 8); Ch. lxxi. (No. 10); Ch. cvii. (No. 11); Ch. cviii. (Gas); Ch. clvi. (No. 7); Ch. clviii. (No. 12); Ch. clxi. (No. 13); Ch. clxiii. (Highways); Ch. ccx. (No. 9); Ch. ccxi. (No. 14); Ch. ccxiii. (Housing of Working Classes); Ch. ccxxiii. (No. 15).

Local Government Board (Ireland) Provisional Orders Confirmation. *See* Table II., Ch. xlvi. (Newbridge); Ch. lvi. (Kilrush Gas); Ch. lvii. (No. 3); Ch. lviii. (No. 4); Ch. cl. (No. 5).

Local Government (Scotland) Provisional Orders Confirmation. *See* Table II., Ch. xliii. (Galashiels and Melrose); Ch. xliv. (Ashkirk and Selkirk); Ch. xlv. (Stirling and St. Ninians); Ch. cix. (Dunlop); Ch. cliii. (Alloa, Alva, and Logie); Ch. cliv. (Cawdor, &c.); Ch. clv. (Kinnell, Lunan, and Maryton); Ch. clvii. (New or East Kilpatrick).

Local Loans. *See* Public Works Loans; Western Highlands and Islands (Scotland) Works.

Local Registration of Title (Ireland):

To establish Local Registries of Titles to Land in Ireland. Ch. 66. I. Page 323.

§§ 1–3. Short title; application; commencement.

PART I.

Establishment of central and local Registers of Owners.

4. Establishment of registers of owners of land.
5, 6. Registrar of titles and other officers: their appointment and remuneration.
7. Remuneration of clerks of Crown and Peace.
8, 9. Fees: official seals.
10, 11. Powers of registering authority, and exercise thereof.
12. Relations of central and local registering authorities.
13. Jurisdiction of High Court and county court.
14. Appeal and reference to the court.
15. Enforcement by court of order of registry.
16. Registering authorities to obey orders of courts.
17. Power of court in action for specific performance.
18. Abolition of Record of Title Office under 28 & 29 Vict. c. 88.
19–21. Registry of deeds.

PART II.

Register of Landowners.

22. Registration when to be compulsory and when voluntary.
23. Compulsory registration of land sold under Purchase of Land (Ireland) Acts.
24. Landlord selling part of an estate may obtain certificate of title to remainder.
25. Where registration of ownership compulsory, no title acquired of transfer until registered.
26, 27. First and subsequent registrations.
28. Classes of owners who may be registered.
29. Provisions for general note on the register in regard to burdens arising from previous interest of purchasing tenant.
30. Effect of registration.
31. Land certificate.
32. Rectification in pursuance of order of exchange.
33. Fraudulent dispositions and entries.
34. Conclusiveness of register.
35–39. Transfers and transmissions.
40–43. Charges.

Other Interests in Registered Land.

44. Creation and effect of subordinate rights and interests.
45–47. Burdens.
48. Mines, minerals, and mining rights.
49. Priority of registered burdens.
50. Power of charging to be exercised by registered charge.
51. Powers with respect to statutory charges.

LOCAL REGISTRATION OF TITLE (IRELAND)—*continued.*

§ 52. No acquisition of title by mere adverse possession without order of court.
53. Registry of leaseholders.
54. Subsidiary registers of rights.
55–60. Boundaries.

PART III.

FURTHER PROVISIONS AS TO REGISTRATION.

61. Caution against first registration of land.
62. Provision for doubts as to title of registered owner.
63. Trusts not to be entered on register.
64. Undivided shares and co-owners.
65. Lands of different tenures.
66. Discovery of instruments and facts affecting title.
67. Production of deeds.
68. Deeds to be marked with notice of registration.
69, 70. Cautions and inhibitions.
71. Provisions as to limited owners.
72. Power for trustee to apply to court for directions.
73–75. Married women; infants; lunatics.
76. Effect of bankruptcy of registered owner.
77. Effect of registered charge for future advances.
78, 79. Crown lands.
80. Stamp duties.
81, 82. Certificates and notices.

PART IV.

DEVOLUTION OF INTEREST IN FREEHOLD REGISTERED LAND SOLD UNDER PURCHASE ACTS.

83. Application of Part IV.
84. Devolution of legal interest on death in freehold registered land sold under Purchase Acts.
85. Succession to beneficial interest in such land on intestacy.
86. Provisions as to administration of such land.
87. Provision for registration of heir or devisee of such land.
88. Liability for duty.
89. Meaning of "heirs."

PART V.

MISCELLANEOUS PROVISIONS.

90. Indemnity of registering authority.
91. Penalties for fraud. Savings.
92, 93. Insurance fund.
94. Power to make rules.
95. Construction of terms in Act.
96. Saving for escheats, &c.

LONDON. *See* METROPOLIS.

LONDON (BOUNDARY STREET, BETHNAL GREEN) PROVISIONAL ORDER CONFIRMATION. *See* Table II., Ch. lx.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL. *See* SUPREME COURT OF JUDICATURE (LONDON CAUSES) ACT.

LONDON COUNTY COUNCIL (MONEY):

To further amend the Acts relating to the raising of Money by the London County Council, and for other purposes. Ch. 62. E. Page 290.

§§ 1–3. Short title; construction; interpretation.
4. Amendment of 53 & 54 Vict. c. 41. s. 6.
5. Power to expend money for sundry purposes during financial period.
6. „ „ purposes of Acts of this session.
7. Expenditure for tramway and general purposes.

LONDON COUNTY COUNCIL (MONEY)—*continued.*

§ 8. Power to lend to vestries, district boards, corporations, commissioners, burial boards, or other public bodies.
9. „ „ boards of guardians.
10. „ „ managers of Metropolitan Asylum District.
11. „ „ School Board for London.
12. „ „ Vestry of Saint Pancras.
13. Protection of Council in case of certain loans.
14. Power to raise consolidated stock.
15. Power for Council after issue of stock to apply money raised by stock to make up dividends from fixed dates.
16–19. Metropolitan bills.
20. Power to create consolidated stock partially suspended while metropolitan bills authorised to be raised.
21. 32 & 33 Vict. c. 102. s. 38 not to extend to money raised under Act.
22. Certain moneys expended and loans advanced under Act of 1890 to be on account of current financial year.
23. Limit to exercise of borrowing powers.
24. Incorporation of 48 & 49 Vict. c. 50. ss. 27–43.
25. Not to limit expenditure out of revenue.
26. Expenses of Bills authorising the Council to raise money.
SCHEDULES.

LORDS, HOUSE OF, Appointment of Assessors on Appeals in Admiralty Actions before. *See* SUPREME COURT OF JUDICATURE ACT (c. 53, s. 3).

LUNACY:

To Amend the Lunacy Act, 1890. Ch. 65. E. Page 317.

M.

MAIL SHIPS:

To enable Her Majesty in Council to carry into effect Conventions which may be made with Foreign Countries respecting Ships engaged in Postal Service. Ch. 31. U.K. Page 70.

§ 1. Application of Act by Order in Council.
2. Conveyance of letters by crew or passengers of mail ships forbidden.
3. Regulations as to giving of security for ships engaged in postal service.
4. Arrest and execution of process on board exempted mail ships.
5. Exemption from seizure of exempted mail ship.
6. Application of Act to public ships.
7. Legal proceedings.
8. Application of Act to British Possessions.
9, 10. Definitions; short title.
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MAN, ISLE OF. *See* ISLE OF MAN.

MARKETS AND FAIRS (WEIGHING OF CATTLE):

To amend the Markets and Fairs (Weighing of Cattle) Act, 1887. Ch. 70. U.K. Page 452.

MARRIAGES BY LICENCE UNDER FOREIGN MARRIAGE ACTS ABOLISHED. *See* FOREIGN MARRIAGE ACT (c. 74, s. 9).

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MERCHANDISE MARKS:

To amend the Merchandise Marks Act, 1887. Ch. 15. U.K. Page 31.

Merchant Shipping (Pilotage) Act, 1889, Provisional Orders under. *See* Pilotage Orders Confirmation, Table II., Ch. xlvii. (No. 2); Ch. clx. (No. 1).

Metalliferous Mines (Isle of Man):

To amend the Metalliferous Mines Regulation Act, 1872, in its application to the Isle of Man. Ch. 47. E. Page 216.

Metropolis. *See*—

Education Department Provisional Order Confirmation (London).
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Metropolis (Shelton Street, St. Giles) Provisional Order Confirmation.
Metropolitan Commons (Mitcham) Supplemental.
Metropolitan Police Provisional Order Confirmation.
Public Health (London).
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Metropolis (Shelton Street, St. Giles) Provisional Order Confirmation. *See* Table II., Ch. liii.

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Metropolitan Police Provisional Order Confirmation. *See* Table II., Ch. xxiv.

Middlesex Registry:

To make temporary Provision for the business of the Middlesex Registry of Deeds. Ch. 10. E. Page 27.

———— Transfer of, to Land Registry. *See* Land Registry (Middlesex Deeds) Act.

Military purposes, Power to acquire land for. *See* Ranges Act.

Militia, Exemption of Officers of Post Office from serving in, to have effect in Scotland. *See* Post Office Act (c. 46, s. 9).

Mines. *See* Metalliferous Mines (Isle of Man) Act.

Mortmain and Charitable Uses:

To amend the Mortmain and Charitable Uses Act, 1888, and the Law relating to Mortmain and Charitable Uses. Ch. 73. E. Page 458.

Municipal Elections. *See* County Councils (Elections); Electoral Disabilities Removal; Municipal Registration (Dublin and Belfast), Table II., Ch. cxliv.; Registration of Electors.

Municipal Registration (Dublin and Belfast). *See* Table II. Ch. cxliv.

MUSEUMS AND GYMNASIUMS:

To enable Urban Authorities to provide and maintain Museums and Gymnasiums. Ch. 22. E. & I. Page 52.

§§ 1, 2. Short title; extent of Act.
3. Adoption of Act.
4. Power to provide museum and gymnasium.
5. Admission to museum.
6. „ gymnasium.
7. Regulations and byelaws.
8. Closing of museum or gymnasium for repairs.
9. Appointment of officers and servants for museum and gymnasium.
10. Expenses and borrowing.
11. Acquisition of land.
12. Power to sell museum or gymnasium in certain cases.
13. Powers of Act cumulative.
14. Interpretation.
15. Application of Act to Ireland.

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NAVAL PRIZE ACT, 1864, Explanation of position of High Court of Justice under. *See* SUPREME COURT OF JUDICATURE ACT (c. 53, s. 4).

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NORTHUMBERLAND. *See* BRANDING OF HERRINGS (NORTHUMBERLAND) ACT.

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O.

OATHS. *See* COMMISSIONERS FOR OATHS ACT.

ORKNEY AND ZETLAND, Separate divisions of General Register of Sasines not necessary to be kept for Counties of. *See* REGISTRATION OF CERTAIN WRITS (SCOTLAND) ACT.

OYSTER AND MUSSEL FISHERY (LOCH SWEEN) ORDER CONFIRMATION. *See* Table II., Ch. xxvii.

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PARLIAMENTARY ELECTIONS. *See* ELECTORAL DISABILITIES REMOVAL; REGISTRATION OF ELECTORS; RETURNING OFFICERS (SCOTLAND).

PENAL SERVITUDE:

To amend the Law relating to Penal Servitude and the Prevention of Crime. Ch. 69. U.K. Page 450.

§ 1. Amendment of law as to term of penal servitude and sentences of imprisonment.
2. „ apprehension of licensees and supervisees.

PENAL SERVITUDE—*continued.*

§ 3. Power to grant licences in cases of unexpired terms.
4. Amendment of law as to notices of residence to be given by licensees and supervisees.
5. Amendment of 27 & 28 Vict. c. 47. ss. 4, 8.
6. Extension of 34 & 35 Vict. c. 112. s. 7.
7. Amendment of 5 Geo. 4. c. 83. and 34 & 35 Vict. c. 112. s. 15 as to rogues and vagabonds.
8. Regulations as to measuring and photographing of prisoners.
9, 10. Application to Scotland, Ireland, Channel Islands, and Isle of Man.
11. Short title.

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PIER AND HARBOUR ORDERS CONFIRMATION. *See* Table II., Ch. xlviii. (No. 1); Ch. cxlix. (No. 2); Ch. clix. (No. 3).

PILOTAGE ORDERS CONFIRMATION. *See* Table II., Ch. xlvii. (No. 2); Ch. clx. (No. 1).

POLICE ACT, 1890, Provisional Order under. *See* FIRE BRIGADE SUPERANNUATION (MANCHESTER) ORDER CONFIRMATION, Table II., Ch. lix.

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POLLEN FISHERIES (IRELAND):

For the better Preservation of the Pollen Fisheries in Ireland. Ch. 20. I. Page 43.

POOR LAW, Provisions respecting Pauper Lunatics. *See* LUNACY ACT.

POOR LAW AMENDMENT ACT, 1867, Provisional Order under. *See* LOCAL GOVERNMENT BOARD'S PROVISIONAL ORDER CONFIRMATION (POOR LAW), Table II., Ch. ii.

POST OFFICE:

To amend the Post Office Acts, and to make provision for the Service of the Post Office. Ch. 46. U.K. Page 213.

Inland Postal Regulations.

§ 1. Regulations as to circulars and documents, and words on registered newspapers.
2. Modification of 33 & 34 Vict. c. 79. s. 6, as to supplements to newspapers.
3. Re-direction of postal packets.
4. Certificates of posting and delivery.
5. Power to Postmaster-General to authorise collection and delivery of letters otherwise than by post.

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6. Consent of Treasury to dealings with land by Postmaster-General need not be proved.
7. Power for local authority to contribute land or money towards new post office.

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8. Power to rural authorities to undertake to pay loss occasioned by extra postal facilities.
9. Exemption of officer of Post Office from offices, juries, &c.
10. Criminal diverting of letters from the addressee.
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§ 12. Interpretation.
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——— *See also* MAIL SHIPS ACT; SAVINGS BANKS ACT (c. 21, ss. 11, 12).

POTATOES. *See* SEED POTATOES SUPPLY (IRELAND).

POUNDAGE, Abolition of, in Collection, &c. of Income Tax, &c. *See* TAXES (REGULATION OF REMUNERATION) ACT.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND):

To amend the Law of Scotland as regards Presumption of Life. Ch. 29. S. Page 65.

PREVENTION OF CRIME. *See* PENAL SERVITUDE ACT.

PRIZE COURT, Position of High Court of Justice as. *See* SUPREME COURT OF JUDICATURE ACT (c. 53, s. 4).

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——————— CONFIRMATION. *See*—

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LOCAL GOVERNMENT BOARD (IRELAND).
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PILOTAGE.
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PUBLIC ACCOUNTS AND CHARGES:

To amend certain provisions of the Law with respect to money charged on or payable out of the Consolidated Fund, and with respect to Public Accounts. Ch. 24. U.K. Page 57.

§ 1. Abolition of office of Receiver-General of Inland Revenue and provision as to Inland Revenue moneys.
2. Issues from Exchequer and appropriations in aid.
3. Tables for conversion of perpetual into terminable annuities.
4. Commutation of annuities for railways under 52 & 53 Vict. c. 66., 53 & 54 Vict. c. 52., and 54 & 55 Vict. c. 2.
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PUBLIC HEALTH. *See* FACTORY AND WORKSHOP ACT.

PUBLIC HEALTH (LONDON):

To consolidate and amend the Laws relating to Public Health in London. Ch. 76. E. Page 476.

§ 1. Sanitary authority to inspect district for detection of nuisances.

Nuisances (General).

2. What nuisances may be abated summarily.
3. Information of nuisances to sanitary authority.
4. Notice requiring abatement of nuisance.
5. On non-compliance with notice, order to be made.
6. Provision as to appeal against order.
7. Provision in case of two convictions for overcrowding.
8. In certain cases order may be addressed to sanitary authority.
9. Power to sell manure, &c.
10. Power of entry.
11. Costs of execution of provisions relating to nuisances.
12. Power of individual to complain to justice of nuisance.
13. Proceedings in High Court for abatement of nuisances.
14. Power to proceed where cause of nuisance arises without district.
15. Penalty for injuring closet, &c. so as to cause a nuisance.

Nuisances (Particular), &c.

16. Byelaws by sanitary authority and county council as to cleansing streets and prevention of nuisances.
17. Penalty for keeping swine in unfit place.
18. Power to prohibit keeping of animals in unfit place.
19. Prohibition and regulation of establishing anew certain offensive businesses, and byelaws as to offensive businesses.
20. Licensing of cow-houses and slaughter-houses.
21. Duty of sanitary authority to complain to justice of nuisance arising from offensive trade.
22. Provision as to nuisance created by sanitary authority in dealing with refuse.
23, 24. Smoke consumption.
25–27. Workshops and bakehouses.
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29–36. Removal of refuse.
37–42. Regulations as to waterclosets, &c.
43. Sanitary authority to cause offensive ditches, drains, &c. to be cleansed or covered.
44, 45. Public conveniences.
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47. Inspection and destruction of unsound meat, &c.
48–54. Provisions as to water.

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55–57. Notification of infectious diseases.
58. Application of special provisions to certain infectious diseases.
59–61. Disinfection of premises, bedding, &c.

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§ 62. Infectious rubbish thrown into ashpits, &c. to be disinfected.
63. Penalty on letting houses in which infected persons have been lodging.
64. Penalty on persons letting houses making false statements as to infectious disease.
65. Penalty on ceasing to occupy house without disinfection or notice to owner, or making false answer.
66. Removal to hospital of infected persons without proper lodging.
67. Detention of infected person without proper lodging in hospital.
68–70. Penalty on exposure or conveyance of infected persons and things.
71. Inspection of dairies, and power to prohibit supply of milk.
72. Prohibition of retention of dead body in certain cases.
73. Body of person dying of infectious disease in hospital, &c. to be removed only for burial.
74. Disinfection of public conveyances if used for carrying corpses.
75–81. Hospitals and ambulances.

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82. Sanitary authority to execute epidemic regulations.
83. Poor law medical officers entitled to costs of attendance on board vessels.
84. Local Government Board may combine sanitary authorities.
85. Metropolitan Asylum Managers a sanitary authority for prevention of epidemic diseases.
86. Power to let hospitals, &c.
87. Repayment to sanitary authorities of certain expenses.
88–93. *Mortuaries, &c.*
94. *Byelaws as to Houses let in Lodgings.*
95. *Tents and Vans used for Human Habitation.*
96–98. *Underground Rooms.*

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99. Definition of sanitary authority.
100. Power of county council to prosecute on default of sanitary authority.
101. Proceedings on complaint to Local Government Board of default of sanitary authority.
102. Application of Public Health Acts to Woolwich.
103. Expenses of execution of Act.
104. Expenses of Metropolitan Asylum Board.
105. Power of vestries and district boards to borrow.
106, 107. Appointment of medical officers of health, and sanitary inspectors.
108. Provisions as to medical officers and sanitary inspectors.
109. Temporary arrangement for duties of medical officer or sanitary inspector.
110. Jurisdiction as to ships.
111, 112. Port sanitary authority of port of London.
113. Powers of Local Government Board as to epidemic diseases.
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115. General provisions as to powers of entry.
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117. Summary proceedings for offences, expenses, &c.
118. Evidence by defendant.
119. Application of fines and disposal of things forfeited.
120. Proceedings in certain cases against nuisances.
121. Recovery of expenses by sanitary authority from owner or occupier.
122. Justice to act though member of sanitary authority or liable to contribute.
123. Appearance of sanitary authority in legal proceedings.
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§ 131. Provision for apportionment of certain expenses between hamlet of Penge and remainder of Lewisham district.
132. Extent of Act.
133–135. Application of Act to City of London.
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139. Existing officers.
140. Term of office of existing members of Woolwich board.
141. Interpretation.
142. Repeal.
143, 144. Commencement; short title.
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PUBLIC HEALTH (SCOTLAND) AMENDMENT:

To amend the Public Health (Scotland) Acts. Ch. 52. S. Page 250.

PUBLIC HEALTH ACTS, Provisional Orders under. *See* LOCAL GOVERNMENT BOARD'S PROVISIONAL ORDERS CONFIRMATION.

PUBLIC HEALTH (IRELAND) ACT, 1878, Provisional Orders under. *See* LOCAL GOVERNMENT BOARD (IRELAND) PROVISIONAL ORDERS CONFIRMATION.

PUBLIC WORKS LOANS:

To grant Money for the purpose of certain Local Loans, and for other purposes relating to Local Loans. Ch. 59. U.K. Page 283.

PURCHASE OF LAND (IRELAND):

To provide further Funds for the Purchase of Land in Ireland, and to make permanent the Land Commission; and to provide for the Improvement of the Congested Districts in Ireland. Ch. 48. I. Page 217.

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LAND PURCHASE AND LAND COMMISSION.

§ 1. Advances by guaranteed land stock.
2. Payment by purchaser of Sinking Fund payments in guaranteed land stock.
3. Power to issue two and a half per cent guaranteed land stock.
4. Establishment of a Land Purchase Account.
5. Establishment of Guarantee Fund.
6. Making up of deficiency of Land Purchase Account by Guarantee Fund or a levy on county.
7. Advance of three fourths of purchase-money.
8. Aid in case of exceptional agricultural calamity from purchasers' insurance and from Reserve Fund.
9. Limitation of advance.
10. Glebe tenants.
11. Allocation of the sum available for purchase in proportion to the value of holdings.
12. Reference to Privy Council of objections to Lord Lieutenant's decision.
13. Purchase by tenants formerly in possession of holdings.
14. Person entitled as landlord to sell under Act.
15. Miscellaneous and supplemental.
16. Amendment of 50 & 51 Vict. c. 33. s. 20, as applied to advances under this Act.
17. Application of guaranteed land stock, in sale proceedings, for redemption of certain charges, payable to Land Commission.
18. On sale of settled land purchase-money may be applied to redemption of certain terminable charges.
19. Exteendedinvestment of purchase-money of holding.
20. Redemption of tithe rentcharge under 50 & 51 Vict. c. 33.
21. Application of Guarantee Fund under Labourers (Ireland) Acts.
22. Miscellaneous as to area.
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§ 24. Application of guarantee deposit in case of sale of holding for default.
25. Power to Land Commission to claim possession of holding.
26. Extension of s. 19 of Land Law (Ireland) Act, 1881.
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28, 29. Tenure and powers of Land Commissioners, &c.
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32. Decisions as to advances to be published.
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35. Provision of moneys for purposes of Part II.
36. Congested districts counties, and application thereto of Part I.
37. Amalgamation of small holdings in congested districts county.
38. Supplemental provisions as to amalgamation of holdings in congested districts county.
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40. Supplemental as to Congested Districts Board.
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RAILWAY AND CANAL TRAFFIC ACT, 1888, Provisional Orders under. *See* Table II., Chaps. ccxiv.–ccxxii.

RAILWAY AND CANAL TRAFFIC (PROVISIONAL ORDERS) AMENDMENT:
To remove doubts as to the Powers of Public Bodies in reference to Provisional Order Bills under the Railway and Canal Traffic Act, 1888. Ch. 12. U.K. Page 28.

RAILWAY RATES AND CHARGES PROVISIONAL ORDERS CONFIRMATION. *See* Table II., Chaps. ccxiv.–ccxxii.

RAILWAYS. *See* RAILWAY AND CANAL TRAFFIC (PROVISIONAL ORDERS) AMENDMENT; TRAMWAYS ORDER IN COUNCIL (IRELAND) (ATHENRY AND TUAM EXTENSION TO CLAREMORRIS RAILWAY) CONFIRMATION; TRANSFER OF RAILWAYS (IRELAND).

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To facilitate the Acquisition of Ranges by Volunteer Corps and others. Ch. 54. U.K. Page 254.

§ 1. Power for volunteer corps to purchase land.
2. Acquisition of land for volunteer corps by county council, &c.
3. Machinery for purchase of land.
4. Power to let land.
5. Payment of expenses.
6, 7. Power of volunteer corps or borough council to borrow.
8. Power for Public Works Loan Commissioners to lend.
9. Provision as to disbandment of corps, &c.
10. Powers as to grants of land and rights over land.
11. Power to have compensation settled by arbitration.
12. Power to enter on lands to fix alignment marks.
13. Rules as to exercise of powers, &c. by volunteer corps.
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15–17. Definitions; saving; short title.

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Receiver General of Inland Revenue, Abolition of Office of. *See* Public Accounts and Charges Act.

Record of Title Office, Abolition of. *See* Local Registration of Title (Ireland) Act (c. 66, s. 18).

Redemption of Rent (Ireland):

To provide for the Redemption of Rent by long Leaseholders and others. Ch. 57. I. Page 275.

Reformatory and Industrial Schools:

To assist the Managers of Reformatory and Industrial Schools in advantageously launching into useful Careers the Children under their Charge. Ch. 23. E. & S. Page 57.

Registration of Certain Writs (Scotland):

To make provisions in regard to the Registration of certain Writs in the Divisions of the General Register of Sasines for Scotland. Ch. 9. S. Page 26.

Registration of Electors:

For the removal of Doubts arising under the Registration of Electors Acts. Ch. 18. E. Page 34.

——— *See also* Municipal Registration (Dublin and Belfast), Table II., Ch. cxliv.

Registration of Title (Local). *See* Local Registration of Title (Ireland) Act.

Registry of Deeds (Middlesex), Transfer of, to Land Registry. *See* Land Registry (Middlesex Deeds); Middlesex Registry.

Rent, Redemption of, by long Leaseholders. *See* Redemption of Rent (Ireland) Act.

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Returning Officers (Scotland):

To regulate the charges of Returning Officers at Parliamentary Elections in Scotland. Ch. 49. S. Page 244.

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To amend the Law relating to Roads and Streets in Police Burghs in Scotland. Ch. 32. S. Page 76.

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Russian Dutch Loan:
To make provision for paying off the British portion of the Russian Dutch Loan. Ch. 26. U.K. Page 62.

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Savings Banks:
To amend the Law relating to Savings Banks. Ch. 21. U.K. Page 45.

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2, 3. Establishment, powers, and duties of Inspection Committee.
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8. Form of annual statement by trustees of trustee savings banks.
9. Amendment of 26 & 27 Vict. c. 87. s. 8.
10. Provisions as to special investments.
11. Amendment of law as to limit of deposit and interest on deposit.
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13. Provision as to priority of debts due to trustee savings banks by their officers.
14. Amendment of 43 & 44 Vict. c. 36. s. 1.
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Schools for Science and Art:
To facilitate the transfer of Schools for Science and Art to Local Authorities. Ch. 61. E. & I. Page 290.

Science and Art, Power to transfer Schools for, to Local Authorities. *See* Schools for Science and Art Act.

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Crofters Common Grazings Regulation.
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Sea Fisheries. *See* Fisheries Act.

Sea Fisheries Act, 1868, Provisional Order under. *See* Oyster and Mussel Fishery (Loch Sween) Order Confirmation, Table II., Ch. xxvii.

Seal Fishery (Behring's Sea):
To enable Her Majesty, by Order in Council, to make Special Provision for prohibiting the Catching of Seals in Behring's Sea by Her Majesty's Subjects during the Period named in the Order. Ch. 19. U.K. Page 35.

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Seed Potatoes Supply (Ireland)*:
To provide for the Supply of Seed Potatoes to Occupiers and Cultivators of Land in Ireland. Ch. 1. I. Page 1.
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5. Application of loans.
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12, 13. Savings; definitions.

Seed Potatoes Supply (Ireland):
To amend the Seed Potatoes Supply (Ireland) Act, 1890. Ch. 7. I. Page 18.

Shares, Compensation for forged transfers of. *See* Forged Transfers Act.

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Slander of Women:
To amend the Law relating to the Slander of Women. Ch. 51. E. & I. Page 249.

* This Act is dated 1890.

STAMP :

To consolidate the Enactments granting and relating to the Stamp Duties upon Instruments and certain other Enactments relating to Stamp Duties. Ch. 39. U.K. Page 128.

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REGULATIONS APPLICABLE TO INSTRUMENTS GENERALLY.

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